

116TH CONGRESS      }  
  *2d Session*      }  
                        SENATE      {  
                        S. Doc.  
                        116–18

**PROCEEDINGS OF THE  
UNITED STATES SENATE**

**IN THE**

**IMPEACHMENT TRIAL OF  
PRESIDENT DONALD JOHN TRUMP**

**VOLUME III: VISUAL AIDS FROM THE  
TRIAL**



**VOLUME III OF IV**

JANUARY 31, 2020.—Ordered to be printed

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U.S. GOVERNMENT PUBLISHING OFFICE

UNANIMOUS CONSENT AGREEMENTS RELATED TO  
PRINTING

*In the Senate of the United States*

*January 31, 2020*

Mr. McCONNELL. Mr. Chief Justice, I ask unanimous consent that the Secretary be authorized to include statements of Senators explaining their votes, either given or submitted during the legislative sessions of the Senate on Monday, February 3; Tuesday, February 4; and Wednesday, February 5; along with the full record of the Senate's proceedings and the filings by the parties in a Senate document printed under the supervision of the Secretary of the Senate that will complete the documentation of the Senate's handling of these impeachment proceedings.

The CHIEF JUSTICE. Without objection, it is so ordered.  
[166 Cong. Rec. S769 (daily ed. Jan. 31, 2020)]

*February 3, 2020*

Mr. McCONNELL. Mr. President, I ask unanimous consent to modify the order of January 31 to allow the Senators to have until Wednesday, February 26, 2020—that would be the Wednesday after we come back—to have printed statements and opinions in the CONGRESSIONAL RECORD, if they choose, explaining their votes and include those in the documentation of the impeachment proceedings; finally, I ask that the two-page rule be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.  
[166 Cong. Rec. S805 (daily ed. Feb. 3, 2020)]

*February 25, 2020*

Mr. McCONNELL. Madam President, I ask unanimous consent to modify the order of January 31 to allow Senators to have until Thursday, February 27, 2020, to have printed statements and opinions in the CONGRESSIONAL RECORD, if they choose, explaining their votes and include those in the documentation of the impeachment proceedings; finally, I ask that the two-page rule be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.  
[166 Cong. Rec. S1160 (daily ed. Feb. 25, 2020)]

## **FOREWORD**

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By unanimous consent, the United States Senate has directed the creation of this publication, Senate Document 116–18, which contains, in four volumes, the official record of the Senate proceedings in the impeachment trial of President Donald John Trump in the 116th Congress. The purpose of these volumes is to preserve for future reference the formal record of the third presidential impeachment trial in the nation’s history. Together with the 18 volumes contained in Senate Document 116–13, which includes all publicly available material submitted to the Senate by the House of Representatives as their evidentiary record, these volumes represent the complete official record of the impeachment actions against President Trump in the 116th Congress.

The volumes are:

- Volume I: Preliminary Proceedings
- Volume II: Floor Trial Proceedings
- Volume III: Visual Aids From the Trial
- Volume IV: Statements of Senators

More than 20 years after the last presidential impeachment trial in the Senate, technology was a major difference in the conduct of these proceedings and how the record was presented. Audio and video recordings, as well as visual aids (slides) were used by both the House managers and counsel for the President throughout the course of their arguments. In Volume I and Volume II of this Document, the text of what was heard on audio and video proceedings is included in the record. However, visual aids are not reproduced in the *Congressional Record*; therefore references have been inserted in this record where such aids were used by the speaker. Those references indicate a slide number and each such slide can be found in Volume III.

### **VOLUME I: PRELIMINARY PROCEEDINGS**

Volume I contains all preliminary impeachment proceedings prior to opening presentations by the House managers and counsel for the President and commencement of the evidentiary portion of the trial.

On December 18, 2019, the House of Representatives adopted two articles of impeachment against President Trump (House Resolution 755, 116th Congress). A subsequent resolution, adopted on January 15, 2020, appointed managers on the part of the House of Representatives (House Resolution 798, 116th Congress).

On January 15, 2020, Majority Leader Mitch McConnell and Democratic Leader Charles E. Schumer addressed the Senate on the issue of impeachment. Following recognition of Senate leaders, the Clerk of the House informed the Senate in open session that

the House of Representatives had passed House Resolution 798, authorizing and appointing managers for the impeachment trial of President Trump. Subsequently, the Senate unanimously agreed to receive the managers, request the attendance of the Chief Justice of the United States, appoint an escort committee for the Chief Justice, and provide necessary access to the Senate Chamber. The Senate notified the House of Representatives that it was ready to receive the managers and begin the trial.

On January 16, 2020, Majority Leader McConnell and Democratic Leader Schumer addressed the Senate on the issue of impeachment. At 12:00 noon on January 16, the managers on the part of the House of Representatives appeared at the bar of the Senate to exhibit the articles of impeachment, set forth in House Resolution 755. Following exhibition of the articles of impeachment, the president pro tempore of the Senate, by unanimous consent, was authorized to appoint a committee consisting of four senators to escort the Chief Justice of the United States to the Senate Chamber. On January 16, the president pro tempore of the Senate appointed Senators Roy Blunt, Patrick Leahy, Lindsey Graham, and Dianne Feinstein to serve as the escort committee.

At 2:00 p.m. on January 16, the Chief Justice, as presiding officer of the presidential impeachment trial, took the prescribed oath and then administered the oath to all senators present. With the Chief Justice presiding, the Senate unanimously agreed that a summons be issued to President Trump, that his answer to the articles of impeachment be filed with the Secretary of the Senate by 6:00 p.m. on January 18, 2020, and that the House of Representatives file its replication to the President's answer with the Secretary by 12:00 noon on January 20, 2020. The Senate also agreed that trial briefs, if desired, should be filed by the House of Representatives with the Secretary by 5:00 p.m. on January 18 and by the President by 12:00 noon on January 20, and any rebuttal brief may be filed by the House by 12:00 noon on January 21, 2020. These agreements also authorized the Secretary to print all of these preliminary matters as a Senate document to be made available to all parties. These documents were published within 24 hours of their filing as Senate Document 116–12, and are also reprinted in this Document in Volume I, both in their original form and as they were published in the *Congressional Record* on January 21, 2020.

On January 21, Majority Leader McConnell and Democratic Leader Schumer again addressed the Senate on the issue of impeachment. After one remaining Senator was sworn in to the impeachment proceedings and additional preliminary matters were addressed, Leader McConnell introduced Senate Resolution 483 (116th Congress) to set forth procedures for consideration of the articles of impeachment against President Trump. Counsel for the President and then the House managers were each given up to one hour to debate the Resolution, presenting the first arguments by each side in these proceedings. After initial debate on the Resolution, Democratic Leader Schumer proposed Amendment Number 1284 to subpoena certain White House documents and records. After up to two more hours divided by the parties, the amendment was tabled (roll call vote number 15). Ten additional amendments

(numbers 1285–1294) were proposed by Democratic Leader Schumer (one on behalf of Senator Van Hollen) dealing with the subpoenaing of documents and records, the calling of witnesses, and the timing of trial proceedings. After further debate on each amendment, each was tabled by a roll call vote. After all amendments had been disposed of, the Senate adopted Resolution 483 by a vote of 53 yeas to 47 nays (roll call vote number 26).

#### VOLUME II: FLOOR TRIAL PROCEEDINGS

Volume II reproduces the official record of the Senate floor proceedings in the impeachment trial of President Trump, beginning with opening arguments by House managers and counsel for the President, as ordered under Senate Resolution 483. The managers presented their case on behalf of the House of Representatives on January 22, 23, and 24, 2020. Counsel for the President presented their case on January 25, 27, and 28. On January 29 and 30, senators posed questions to House managers and to counsel for the President.

On January 31, 2020, pursuant to Senate Resolution 483, the Senate considered whether it would be in order to consider and debate under the impeachment rules any motion to subpoena witnesses or documents. The House managers' argument was presented first, followed by counsel for the President. After argument, the Chief Justice put the question to the Senate for its decision, and by a vote of 49 yeas to 51 nays (roll call vote number 27) the Senate determined it would not permit motions to subpoena witnesses or documents. Majority Leader McConnell then introduced Senate Resolution 488, proposing procedures for the remainder of the impeachment trial. Democratic Leader Schumer proposed 4 amendments to the Resolution. No argument was heard on the Resolution or the amendments. Each amendment was tabled (roll call vote numbers 28 through 31), and the Resolution was agreed to by the Senate by a vote of 53 yeas to 47 nays (roll call vote number 32).

No depositions were taken during the Senate proceedings, and no witnesses appeared at the trial. The House managers and counsel for the President presented closing arguments on February 3.

Volume II concludes with the February 5, 2020, vote and judgment of the Senate to acquit President Trump on two articles of impeachment (roll call vote numbers 33 and 34).

#### VOLUME III: VISUAL AIDS FROM THE TRIAL

Volume III reproduces the complete set of visual aids used by House managers and counsel for the President during the preliminary and trial proceedings. A notation indicating the use of a visual aid is embedded in the transcript of the proceedings (Volumes I and II) with citation information for items included in Volume III.

#### VOLUME IV: STATEMENTS OF SENATORS

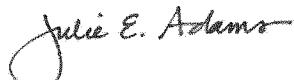
On January 31, 2020, the Senate unanimously agreed to provide each senator an opportunity to place in the *Congressional Record* a statement explaining his or her vote on the articles of impeachment, and to include those statements in the official record of the

Senate's impeachment proceedings. Modified on February 3 and again on February 25, the unanimous consent agreement set a deadline of February 27, 2020, for submission of statements. Those statements are included in Volume IV.

The publication of these volumes, supplemented with Senate Document 116–13, sets forth a complete record of this historic impeachment trial and will provide for a fuller understanding of the way in which the Senate conducted these proceedings.

#### ACKNOWLEDGEMENTS

I want to thank my staff from the Executive Office, Legislative Offices, Office of the Parliamentarian, Office of Printing and Document Services, Senate Historical Office and Senate Library for their work on both the trial and the execution of this Document.



JULIE E. ADAMS,  
*Secretary of the Senate.*

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Sen. Portman .....	2016
Sen. Casey .....	2019
Sen. Boozman .....	2021
Sen. Lankford .....	2024
Sen. King .....	2028

FEBRUARY 5, 2020

Sen. Merkley .....	2031
Sen. Cornyn .....	2033
Sen. Hawley .....	2042
Sen. Alexander .....	2043
Sen. Sasse .....	2053
Sen. Harris .....	2055
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Sen. Jones .....	2059
Sen. Reed .....	2062
Sen. Duckworth .....	2065
Sen. Blunt .....	2068
Sen. Lee .....	2070
Sen. Cramer .....	2075

XIII

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Sen. Risch .....	2077
Sen. Brown .....	2079
Sen. Hirono .....	2082
Sen. Bennet .....	2085
Sen. Baldwin .....	2088
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Sen. Romney .....	2093
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Sen. Gardner .....	2101
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Sen. Durbin .....	2110
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Sen. McConnell .....	2127
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<sup>i</sup>For ease of reference, the documents contained in S. Doc. 116–12, i.e., the pertinent constitutional provisions, the Senate Impeachment Rules, the Articles of Impeachment, the Answer of President Trump, and the Replication of the House of Representatives, are reprinted in this publication.

<sup>ii</sup>Slide images are only printed in Volume III. CONGRESSIONAL RECORD pages have been listed for ease of reference.



SLIDES 1–142

[166 CONG. REC. S380–426 (DAILY ED. JAN. 21, 2020)]

**SLIDE 1.** S. Doc. 116–18 Vol. I, Pg. 612; 166 Cong. Rec. S380

**THE SENATE SHOULD CONDUCT A FAIR TRIAL**

**Resolution prohibits subpoenas now, which is counter to:**

- ▶ **Fundamental Fairness**
- ▶ **The Senate's Constitutional Duty to "Try" The Case**
- ▶ **Decades of History and Precedent**
- ▶ **The American People's Desire for the Truth**

**SLIDE 2.** S. Doc. 116–18 Vol. I, Pg. 614; 166 Cong. Rec. S380

**PRESIDENT TRUMP'S OBSTRUCTION**  
**SEPTEMBER 9, 2019**

12:47 AM

As I said on the phone, I  
think it's crazy to withhold  
security assistance for help  
with a political campaign.

VOLKER      TAYLOR

SONDLAND

Kurt Volker Document Production, KV00000053 (Oct. 2, 2019)

**SLIDE 3.** S. Doc. 116–18 Vol. I, Pg. 615; 166 Cong. Rec. S381

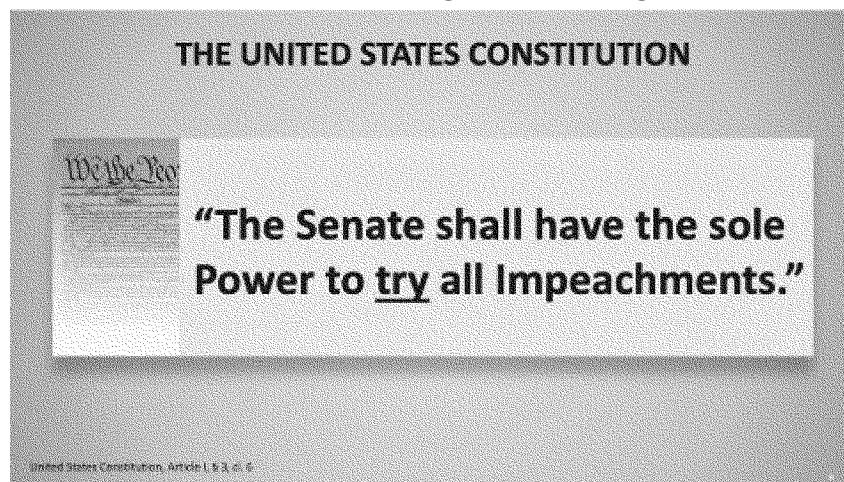
**PRESIDENT TRUMP'S OBSTRUCTION**

- ▶ **0 Documents In Response To Impeachment Inquiry Requests And Subpoenas**
- ▶ **White House Withholding Direct Evidence Of Scheme:**
  - Text messages
  - WhatsApp messages
  - Notes
  - Memoranda
  - Official Records
  - Calls

**SLIDE 4.** S. Doc. 116–18 Vol. I, Pg. 615/685; 166 Cong. Rec. S381/S407

**PRESIDENT DIRECTED OFFICIALS NOT TO TESTIFY**

					
Mick Mulvaney	Robert B. Blair	Ambassador John Bolton	John A. Eisenberg	Michael Ellis	Preston Wells Griffith
					
Dr. Charles M. Kupperman	Russell T. Vought	Michael Duffy	Brian McCormack	T. Ulrich Brechbuhl	Secretary Rick Perry

**SLIDE 5.** S. Doc. 116–18 Vol. I, Pg. 616; 166 Cong. Rec. S381**SLIDE 6.** S. Doc. 116–18 Vol. I, Pg. 616; 166 Cong. Rec. S381

SLIDE 7. S. Doc. 116–18 Vol. I, Pg. 617; 166 Cong. Rec. S381

**IMPORTANCE OF OBTAINING EVIDENCE**

- ▶ Fundamental Fairness Requires Evidence in Trials
- ▶ History & Precedent: New Evidence in All 15 Full Senate Impeachment Trials
  - 1. Witnesses in Every Trial
  - 2. Average Witnesses Heard: 33
  - 3. Hundreds or Thousands of Pages of New Documents

SLIDE 8. S. Doc. 116–18 Vol. I, Pg. 617; 166 Cong. Rec. S382

**HISTORY & PRECEDENT: DOCUMENTS IN SENATE TRIALS**

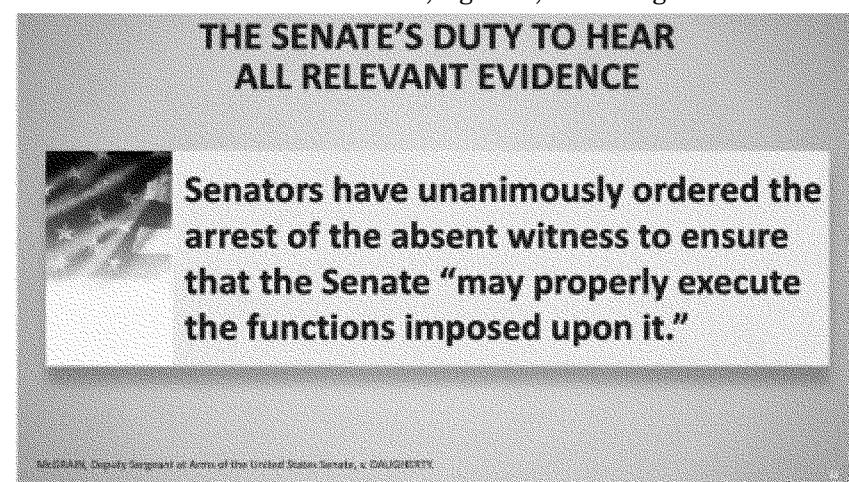


- ▶ Judge Claiborne Impeachment Trial
  - 19 Witnesses
  - Over 2,000 Pages Of New Documents

**McConnell: "Labored Intensely For More Than Two Months, Amassing The Necessary Evidence And Testimony"**

**SLIDE 9.** S. Doc. 116–18 Vol. I, Pg. 617; 166 Cong. Rec. S382

<b>HISTORY &amp; PRECEDENT SUPPORT NEED FOR WITNESSES</b>		
<b>Senate Trial</b>	<b># Witnesses in Senate Trial</b>	<b># New Witnesses</b>
President Johnson (1868)	40	37
Judge Pickering (1804)	11	11
Justice Porteous (2010)	26	17

**SLIDE 10.** S. Doc. 116–18 Vol. I, Pg. 618; 166 Cong. Rec. S382

**SLIDE 11.** S. Doc. 116–18 Vol. I, Pg. 618/618; 166 Cong. Rec. S382/S382

**THE SENATE'S IMPEACHMENT RULES**

UNITED STATES SENATE

- ▶ **Rule 6:** “Senate shall have the power to compel the attendance of witnesses” and “enforce obedience”
- ▶ **Rule 7:** Presiding Officer may “rule on all questions of evidence”
- ▶ **Rule 11:** “to receive evidence and take testimony”
- ▶ **Rule 16:** “questions with respect to admission of evidence”
- ▶ **Rule 17, 18, 19:** questioning witnesses
- ▶ **Rule 25:** swearing in and subpoenaing witnesses

Rules of Procedure and Practice in the Senate when Sitting on Impeachment Trials.

**SLIDE 12.** S. Doc. 116–18 Vol. I, Pg. 619/619; 166 Cong. Rec. S382/S382

**CLINTON PRECEDENT**

<b>1</b>	<b>Both Parties Negotiated And Agreed To The Process</b>
<b>2</b>	<b>All Of The Clinton Documents Were Provided Before The Trial</b>
<b>3</b>	<b>All Of The Clinton Witnesses Testified Before Trial</b>
<b>4</b>	<b>This Trial Does Not Require Salacious Testimony</b>

**SLIDE 13.** S. Doc. 116–18 Vol. I, Pg. 619/620/620; 166 Cong. Rec. S382/S383/S383

**PRESIDENT TRUMP'S ONGOING OBSTRUCTION  
REQUIRES SUBPOENAS NOW**

- President Is Responsible For Witnesses' Failure To Appear Before The House**
- If the President Wishes To Contest the Facts, He Must Not Deny Access to Relevant Witnesses**
- President Must Not Be Allowed To Mislead By Releasing Some Documents But Not Others**
- You May Infer Guilt From His Ongoing Refusal to Obey Subpoenas**

**SLIDE 14.** S. Doc. 116–18 Vol. I, Pg. 620; 166 Cong. Rec. S383

**FAIRNESS REQUIRES VOTING AGAINST THE RESOLUTION**

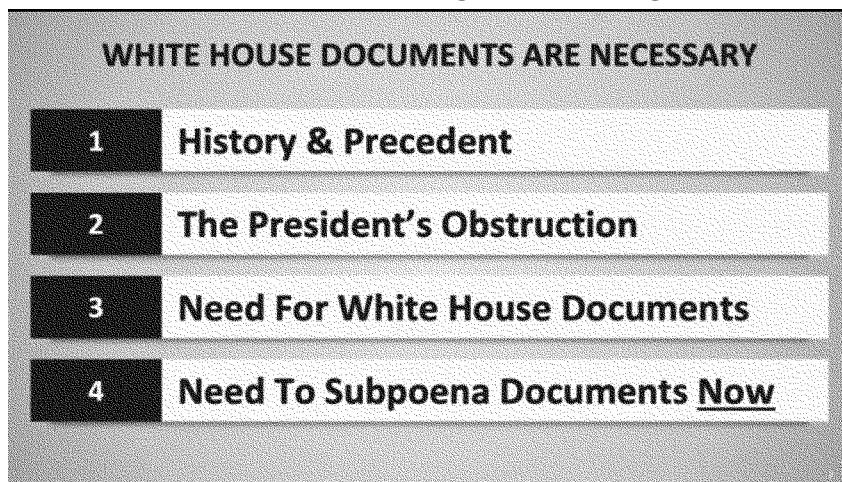


- Constitutional Duty Of Senate To Try Impeachment**
- President Wrongfully Deprived House Of Evidence**
- American People Deserve The Full Truth**

**SLIDE 15.** S. Doc. 116–18 Vol. I, Pg. 632; 166 Cong. Rec. S387



**SLIDE 16.** S. Doc. 116–18 Vol. I, Pg. 633; 166 Cong. Rec. S388



**SLIDE 17.** S. Doc. 116–18 Vol. I, Pg. 633; 166 Cong. Rec. S388

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**1 History & Precedent**

- ▶ “Senate shall have the sole Power to try all Impeachments”
- ▶ Senate Rules of Procedure and Practice
- ▶ 15 Senate Trials Had New Evidence

U.S. Const. Article I, § 3, cl. 6

**SLIDE 18.** S. Doc. 116–18 Vol. I, Pg. 633; 166 Cong. Rec. S388

**HISTORY & PRECEDENT**

- ▶ **President Johnson**
  - New Evidence On First Day of Trial
  - New Documents Before Witnesses
  - 40 Witnesses
- ▶ **Judge Pickering**
  - New Evidence Before Opening Statements
  - New Documents Throughout Trial

The Senate Report, Preliminary Memorandum Concerning Removal of Office of Independent Counsel at 38 (Rep. 111-398); Clinton Senate Trial Proceedings, vol. 1, 2000

**SLIDE 19.** S. Doc. 116–18 Vol. I, Pg. 633; 166 Cong. Rec. S388

**HISTORY & PRECEDENT**

- ▶ **Judge Porteous**
  - 7-months pre-trial discovery
  - 6,000 pages of documentary evidence
  - 5 days of evidentiary hearings
  - 26 witnesses
- ▶ **President Clinton**
  - 90,000 pages produced by Clinton To Independent Counsel Before Trial
  - 3 Witnesses At Trial

The White House, Preliminary Memorandum Concerning Referral of Office of Independent Counsel at 13 (Sep. 11, 1998); Clinton Senate Trial Proceedings, Vol. 10, at 17

**SLIDE 20.** S. Doc. 116–18 Vol. I, Pg. 634; 166 Cong. Rec. S388

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

2      **The President's Obstruction**

- ▶ **From The Beginning, President Trump Blocked All Evidence**
- ▶ **"We're Fighting All The Subpoenas"**
- ▶ **"I Have An Article II, Where I Have The Right To Do Whatever I Want"**

Oct. 8 Capitol One Letter; Jeremy Diamond & Allie Malloy, Trump at war with Democrats: "We're fighting all the subpoenas", CNN, Apr. 24, 2019; Jeremy Diamond & Allie Malloy, Trump at war with Democrats: "We're fighting all the subpoenas", CNN, Apr. 24, 2019

**SLIDE 21.** S. Doc. 116–18 Vol. I, Pg. 634; 166 Cong. Rec. S388

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**2      The President's Obstruction**

- ▶ **Sept: Two voluntary requests**
- ▶ **Oct. 4: Subpoena to White House**
- ▶ **Oct. 8: White House Refuses To Comply**

Prints Released. Three House Committees Launch Probe Into Trump and Giuliani Pressure Campaign (Sept. 9, 2019); Letter from Elijah Cummings, Adam Schiff, and Eliot Engel to Mick Mulvaney (Oct. 4, 2019)

**SLIDE 22.** S. Doc. 116–18 Vol. I, Pg. 635; 166 Cong. Rec. S388

**October 8 White House Letter**

**“For these reasons, President Trump and his Administration reject your baseless, unconstitutional efforts to overturn the democratic process. Your unprecedented actions have left the President with no choice. In order to fulfill his duties to the American people, the Constitution, the Executive Branch, and all future occupants of the Office of the Presidency, President Trump and his Administration cannot participate in your partisan and unconstitutional inquiry under these circumstances.”**

Oct. 8 Coalition Letter

**SLIDE 23.** S. Doc. 116–18 Vol. I, Pg. 635; 166 Cong. Rec. S388

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**2      The President's Obstruction**

- ▶ **No Justification**
  - Never Asserted Executive Privilege
- ▶ **Disregards Separation Of Powers**
  - President Cannot Decide The Terms Of His Own Trial

**SLIDE 24.** S. Doc. 116–18 Vol. I, Pg. 636; 166 Cong. Rec. S389

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**3      Need for White House Documents**

- ▶ **What Is President Trump Hiding?**
  1. Direct Communications With Zelensky
  2. Request For Political Investigations
  3. Unlawful Hold Of Military Aid
  4. Concerns Reported To NSC Legal
  5. Recall Of Amb. Yovanovitch

**SLIDE 25.** S. Doc. 116–18 Vol. I, Pg. 636; 166 Cong. Rec. S389

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**1 Direct Communications With Zelensky**

- ▶ April 21 Phone Call
- ▶ July 25 Phone Call
- ▶ September 25 UN Meeting

**SLIDE 26.** S. Doc. 116–18 Vol. I, Pg. 637; 166 Cong. Rec. S389

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

**1 Direct Communications With Zelensky**

- ▶ July 25 Call
  - Documents generated during the call
  - Vindman, Williams: words excluded from official Call Memo

**SLIDE 27.** S. Doc. 116–18 Vol. I, Pg. 637; 166 Cong. Rec. S389

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**1 Direct Communications With Zelensky**

- ▶ July 25 Call
  - Documents during the call
    - Vindman, Williams: words excluded from Call Memo
    - Vindman, Williams: officials took notes
  - Documents after the call

**SLIDE 28.** S. Doc. 116–18 Vol. I, Pg. 637; 166 Cong. Rec. S389

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**2 Request For Political Investigations**

- ▶ Officials' Records About Pressuring Ukraine
- ▶ Bolton:
  - Hosted July 10 Meeting
  - Urged President Trump to release aid
  - Bolton's lawyer: "personally involved"

**SLIDE 29.** S. Doc. 116–18 Vol. I, Pg. 638; 166 Cong. Rec. S398

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

**2 Request For Political Investigations**

- ▶ Officials' Records About Pressuring Ukraine
- ▶ Sondland: "I have not had access to all of my phone records, ... emails, ... and many, many other State Department documents"

Sondland Hearing Tr. at 36

**SLIDE 30.** S. Doc. 116–18 Vol. I, Pg. 638; 166 Cong. Rec. S390

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

**2 Request For Political Investigations**

- ▶ Officials' Records About Pressuring Ukraine
- ▶ June 19 Email from Sondland To Top Officials:
  - Zelensky is "prepared to receive Potus' call. Will assure him that he intends to run a fully transparent investigation and will 'turn over every stone.'"

**SLIDE 31.** S. Doc. 116–18 Vol. I, Pg. 638; 166 Cong. Rec. S390

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

2      **Request For Political Investigations**

- ▶ **Emails and Records of President Trump's Private Agents**
  - Rudy Giuliani
  - Victoria Toensing
  - Joe DiGenova

**SLIDE 32.** S. Doc. 116–18 Vol. I, Pg. 638; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

2      **Request For Political Investigations**

- ▶ **Emails and Records of President Trump's Private Agents**
- ▶ **May 10 Giuliani Letter to Zelensky:**
  - “as personal counsel to President Trump and with his knowledge and consent”

Printed on U.S. Government Property | Document #166-18-S390-13

**SLIDE 33.** S. Doc. 116–18 Vol. I, Pg. 639; 166 Cong. Rec. S390

**THE SPECIFIC NEED FOR SUBPOENAED WHITE HOUSE DOCUMENTS**

3      **President Trump's Hold Of Military Aid**

▶ Against unanimous agency support for bipartisan aid to be released

▶ Government Accountability Office: hold violated the law

Vindman Docs. Tr. at 184; Steinmeier Docs. Tr. at 145; GAO Decision, "Office of Management and Budget – Withholding of Ukraine Security Assistance," Jan. 17, 2020

**SLIDE 34.** S. Doc. 116–18 Vol. I, Pg. 639; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**Trump's Freeze On Ukraine Aid Was Unlawful**

**GAO**  
U.S. GOVERNMENT ACCOUNTABILITY OFFICE

**Faithful execution of the law does not permit the President to substitute his own policy priorities for those that Congress has enacted into law. OMB withheld funds for a policy reason, which is not permitted under the Impoundment Control Act (ICA). The withholding was not a programmatic delay. Therefore, we conclude that OMB violated the ICA.**

GAO Decision, "Office of Management and Budget – Withholding of Ukraine Security Assistance," Jan. 17, 2020

SLIDE 35. S. Doc. 116–18 Vol. I, Pg. 639; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

3      **President Trump's Hold Of Military Aid**

- ▶ White House documents describing planning of freeze
- ▶ June 27: Mulvaney to Blair: “Did we ever find out...whether we can hold it back?”
  - Blair’s Response: “Expect Congress to become unhinged...”

Eric Lipton et al., Behind the Ukraine Aid Freeze, 84 Days of Conflict and Contention, N.Y. Times (Dec. 21, 2019)

SLIDE 36. S. Doc. 116–18 Vol. I, Pg. 639; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

3      **President Trump's Hold Of Military Aid**

- ▶ Records of officials advocating for release
  - Presidential Decision Memo: “consensus” that aid should “be released”
  - August 30 Meeting with President:
    - Esper and Pompeo: “freeing up the money for Ukraine was the *right thing to do*”
    - Bolton: “This is in *America’s interest*”

Thomas Dwyer (Aug. 30); Michael S. Schmidt (Aug. 27) in 166-87 Eric Lipton et al., Behind the Ukraine Aid Freeze: 84 Days of Conflict and Contention, N.Y. Times (Dec. 21, 2019)

**SLIDE 37.** S. Doc. 116–18 Vol. I, Pg. 640; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

3      **President Trump's Hold Of Military Aid**

▶ After-the-fact justification for releasing the aid  
— Jan. 3, 2020: OMB: “20 responsive documents”

Letter from Dianne Hardy, FOIA Officer, to Chris McGeorge, N.Y. Times, (Jan. 3, 2020); Josh Dawsey, et al., White House review turns up emails showing extensive effort to justify Trump's decision to block Ukraine military aid, Wash. Post, Nov. 24, 2019

**SLIDE 38.** S. Doc. 116–18 Vol. I, Pg. 640; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

**The Washington Post**  
Photo by AP Photo/J. Scott Applewhite  
**White House review turns up emails showing extensive effort to justify Trump's decision to block Ukraine military aid**

By Josh Dawsey, Carol D. Leonnig and Tom Hamburger  
November 24, 2019 at 6:44 p.m. EST

The research by the White House Counsel's Office, which was triggered by a congressional impeachment inquiry announced in September, includes early August email exchanges between acting chief of staff Mick Mulvaney and White House budget officials seeking to provide an explanation for withholding the funds after the president had already ordered a hold in mid-July on the nearly \$400 million in security assistance

Dawsey, Josh, Leonnig, Carol D., and Hamburger, Tom., White House review turns up emails showing extensive effort to justify Trump's decision to block Ukraine military aid., *The Washington Post*, November 24, 2019

**SLIDE 39.** S. Doc. 116–18 Vol. I, Pg. 640; 166 Cong. Rec. S390

**THE NEED FOR WHITE HOUSE DOCUMENTS**

4      **Concerns Reported To NSC Legal**

- ▶ Hill, Vindman: Reported July 10 Meeting
- ▶ Vindman: "Because it was inappropriate. And, following the meeting, I had a short conversation... [with] Dr. Hill, and we discussed the idea of needing to report this."

Williams-Vindman Hearing, Pg. 43-44

**SLIDE 40.** S. Doc. 116–18 Vol. I, Pg. 641; 166 Cong. Rec. S391

**THE NEED FOR WHITE HOUSE DOCUMENTS**

4      **Concerns Reported To NSC Legal**

- ▶ Hill, Vindman: Reported July 10 Meeting
  - Vindman: NSC Legal took notes
  - Hill went back again July 11
- ▶ Vindman reported again July 25
- ▶ Morrison reported concerns 3 times

Williams-Vindman Hearing '20 (46-47); Williams-Vindman Hearing '20 (47-48); Voter-Morrison Hearing '20, at 36-37

SLIDE 41. S. Doc. 116–18 Vol. I, Pg. 641; 166 Cong. Rec. S391

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

**4      Need To Subpoena Documents Now**

► Why Now?

1. Precedent shows: evidence *before* witnesses
2. Resolve privilege and evidentiary issues
3. Affects witness testimony and document production
4. Ensures genuine, credible trial

SLIDE 42. S. Doc. 116–18 Vol. I, Pg. 652; 166 Cong. Rec. S395

**PRESIDENT TRUMP'S OBSTRUCTION**

► President Trump Directed:

- Every Office
- Every Agency
- Every Official

► To Defy Every Subpoena. Zero Documents Produced.

**NO PRESIDENT HAS EVER DONE THIS**

**SLIDE 43.** S. Doc. 116–18 Vol. I, Pg. 652; 166 Cong. Rec. S394**SUBSTANTIAL EVIDENCE OF PRESIDENT TRUMP'S HIGH CRIMES AND MISDEMEANORS**

- ▶ **17 Witnesses**
- ▶ **130 Hours of Testimony**
- ▶ **President Trump's Own Words on Calls, Speeches**
- ▶ **Hundreds of Texts, Emails, and Documents**

**SLIDE 44.** S. Doc. 116–18 Vol. I, Pg. 653; 166 Cong. Rec. S395**DESPITE OBSTRUCTION, BRAVE OFFICIALS CAME FORWARD**

TAYLOR

"I think it's crazy to withhold security assistance for help with a political campaign"



SONDLAND

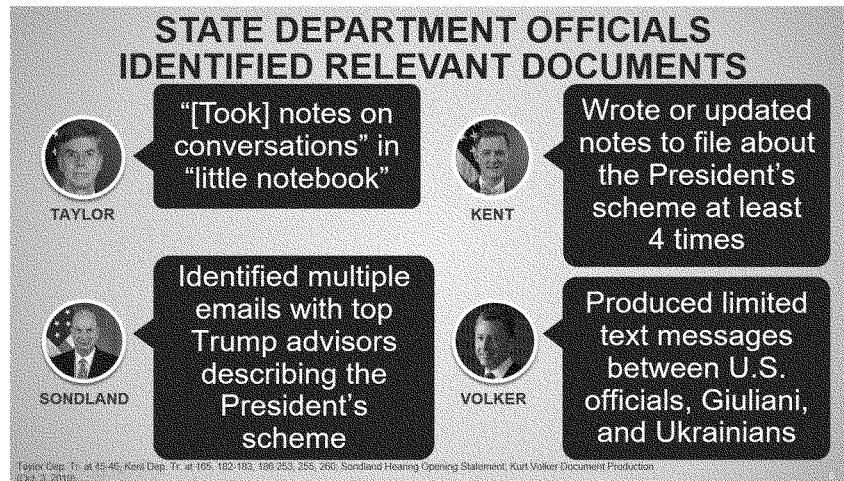
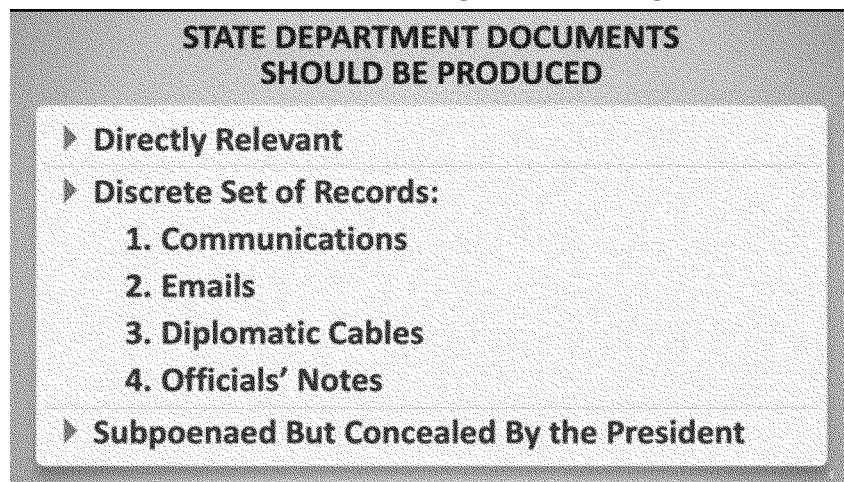
"[W]e knew these investigations were important to the President" and "we followed the President's orders"



HOLMES

"[I]t was made clear that some action on Burisma/Biden investigation was a precondition for an Oval Office visit"

The Hon. Doug. Jr. et al. 39-437. Subpoenaed testimony by Atty. Gen. Muller before House Hearing Tr. at 23

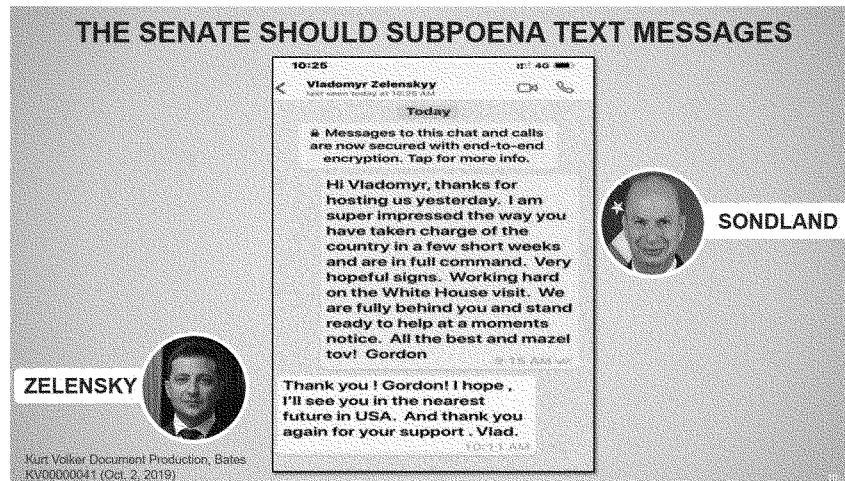
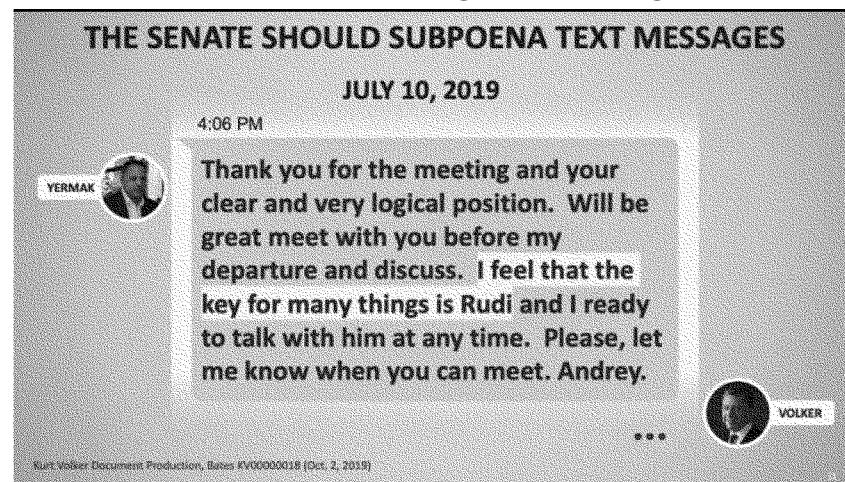
**SLIDE 45.** S. Doc. 116–18 Vol. I, Pg. 653; 166 Cong. Rec. S395**SLIDE 46.** S. Doc. 116–18 Vol. I, Pg. 653; 166 Cong. Rec. S395

**SLIDE 47.** S. Doc. 116–18 Vol. I, Pg. 654; 166 Cong. Rec. S396

STATE DEPARTMENT DEFIED LAWFUL SUBPOENA	
Sept. 9	House Committees Send Request. No Compliance
Sept. 27	House Committees Send Subpoena
Oct. 1	Sec. Pompeo Promises Response on October 4
Oct. 4	Sec. Pompeo Fails to Respond
Oct. 8	President Trump Directs Administration to Stonewall
ZERO DOCUMENTS PRODUCED	

Letter from Engel, Schiff, and Cummings to Mike Pompeo (Sep. 9, 2019); Letter from Engel, Schiff, and Cummings to Mike Pompeo (Sep. 27, 2019); Letter from Adam Schiff to House Intelligence Committee (Oct. 1, 2019); Letter from Rep. Devin Nunes to Mike Pompeo (Oct. 4, 2019)

**SLIDE 48.** S. Doc. 116–18 Vol. I, Pg. 655; 166 Cong. Rec. S396

**SLIDE 49.** S. Doc. 116–18 Vol. I, Pg. 655; 166 Cong. Rec. S396**SLIDE 50.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396

**SLIDE 51.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396

**THE SENATE SHOULD SUBPOENA TEXT MESSAGES**

JULY 25, 2019

8:36 AM

Good lunch - thanks. Heard from White House - assuming President Z convinces trump he will investigate / "get to the bottom of what happened" in 2016, we will nail down date for visit to Washington. Good luck! See you tomorrow - kurt

VOLKER

10:15 AM

YERMAK

Phone call went well. President Trump proposed to choose any convenient dates. President Zelenskiy chose 20.21.22 September for the White House visit....

Kurt Volker Document Production, Bates KV00000019 (Oct. 2, 2019)

**SLIDE 52.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396

**THE SENATE SHOULD SUBPOENA TEXT MESSAGES**

JULY 26, 2019

5:55 AM

VOLKER

Hi Mr. Mayor — you may have heard— the President has a great phone call with the Ukrainian President yesterday. Exactly the right messages as we discussed.

GIULIANI

...

Kurt Volker Document Production, Bates KV00000017 (Oct. 2, 2019)

**SLIDE 53.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396

### **THE SENATE SHOULD SUBPOENA TEXT MESSAGES**

- ▶ **Limited Messages Already Show:**
  - Communications Between Giuliani, U.S. Officials, and Ukrainian Officials
  - “Key” Role of Giuliani
  - White House Meeting Conditioned on Investigations
  - Pressure Campaign on Ukraine

**What Would The Other Messages Reveal About President Trump’s Scheme?**

**SLIDE 54.** S. Doc. 116–18 Vol. I, Pg. 656; 166 Cong. Rec. S396

### **THE SENATE SHOULD SUBPOENA STATE DEPARTMENT EMAILS**

**SLIDE 55.** S. Doc. 116–18 Vol. I, Pg. 657; 166 Cong. Rec. S397

**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

**TRANSCRIPTION**

**Exhibit 4 – Friday, July 19, 2019**

Email	Subject: Re: I Talked to Zelensky just now
Robert Blair, Lisa Kenna, Brian McCormack, Mick Mulvaney, Rick Perry, Mike Pompeo, and Gordon Sondland	<b>15:28 Gordon Sondland:</b> He is prepared to receive Potus' call. Will assure him that he intends to run a fully transparent investigation and will "turn over every stone". He would greatly appreciate a call prior to Sunday so that he can put out some media about a "friendly and productive call" (no details) prior to Ukraine election on Sunday.  <b>21:30 Rick Perry (replying to McCormack and Sondland only):</b> Mick just confirmed the call being set up for tomorrow by NSC.  <b>RP</b>  <b>22:25 Mick Mulvaney (replying to all):</b> I asked NSC to set it up for tomorrow.  MM

2019-11-20 Statement of Sondland, p. 21

**SLIDE 56.** S. Doc. 116–18 Vol. I, Pg. 658; 166 Cong. Rec. S397

**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

**MARCH 26 – POMPEO AND GIULIANI CALL**

<b>From:</b>	[REDACTED]
<b>Sent:</b>	Tuesday, March 26, 2019 9:54 AM
<b>To:</b>	S_All
<b>Subject:</b>	9:53am -- S finished speaking with Rudy Giuliani

FOIA, American Oversight, State Department (Nov. 22, 2019); AT&T Document Production, Bates  
ATTHPSCI\_20190930\_02034-ATTHPSCI\_20190930\_02053, ATTHPSCI\_20190930\_03539-ATTHPSCI  
\_20190930\_03539; Email from Madeline Westerhout to State Department Official, (Mar. 27, 2019)

**SLIDE 57.** S. Doc. 116–18 Vol. I, Pg. 658; 166 Cong. Rec. S397

**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

**From:** Westerhout, Madeleine E. EOP/WHO  
**Sent:** Wednesday, March 27, 2019 11:52 AM  
**To:** [REDACTED]  
**Subject:** FW: Secretary Pompeo

Hey [REDACTED] – this is Rudy Giuliani's assistant. What number can I give her for \$?

**From:** Zafonte, Jo Ann [REDACTED]  
**Sent:** Wednesday, March 27, 2019 11:28 AM  
**To:** Westerhout, Madeleine E. EOP/WHO [REDACTED]  
**Subject:** [EXTERNAL] Secretary Pompeo

Hi Madeleine, hope all is well. It's been a while.

Hate to bother you but might you be able to send me a good number for above, I've been trying and getting nowhere through regular channels.

FOIA: American Oversight, DocID: 16-42231

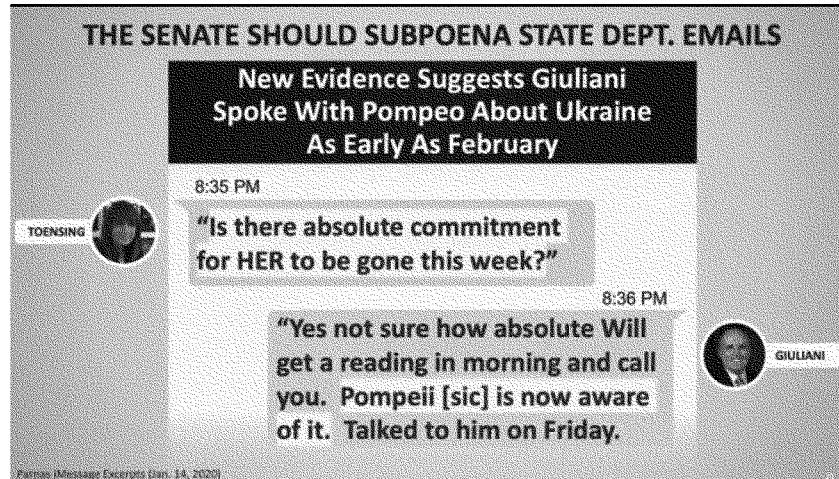
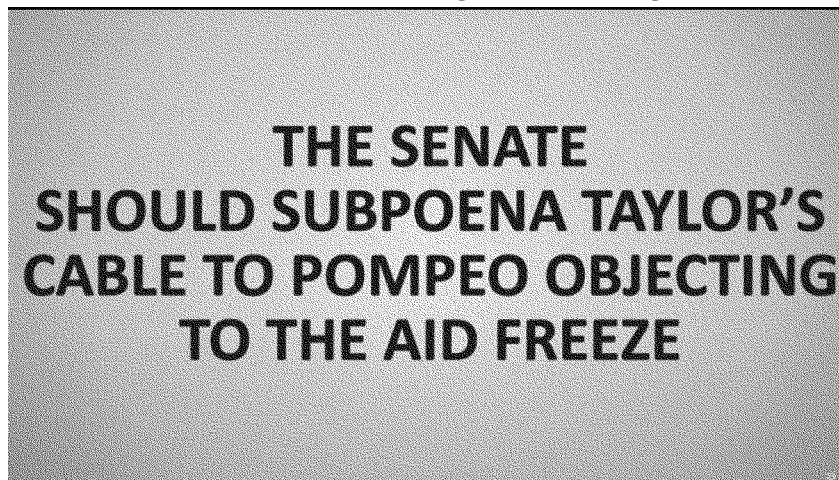
**SLIDE 58.** S. Doc. 116–18 Vol. I, Pg. 658; 166 Cong. Rec. S397

**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

**March 27, 2019 – Giuliani Has 4 Calls with the State Department**

12:06pm	Call from Giuliani to State Switchboard number (10 sec)
12:07pm	Call from Giuliani to State Department number (7 sec)
12:11pm	Call from Giuliani to White House number (27 sec)
12:16pm	Call from Giuliani to Ruth Fisher (Pompeo assistant) number (1 min 5 sec)
12:31pm	Call from Giuliani to State Switchboard number (0 sec)
12:33pm	Call from Giuliani to White House number (0 sec)

FOIA: American Oversight, State Department (Rev. 22, 2019)

**SLIDE 59.** S. Doc. 116–18 Vol. I, Pg. 658; 166 Cong. Rec. S397**SLIDE 60.** S. Doc. 116–18 Vol. I, Pg. 659; 166 Cong. Rec. S397

**SLIDE 61.** S. Doc. 116–18 Vol. I, Pg. 659; 166 Cong. Rec. S398

**THE SENATE SHOULD SUBPOENA TAYLOR'S CABLE**

- ▶ Describes The President's Harm to Our National Security
- ▶ Sent When Ukrainians Were "Just Desperate" and Succumbing To President's Pressure Campaign
- ▶ The Day After It Was Sent, Pompeo, Esper, and Bolton Urged President Trump to Release the Aid. He Refused

**THE CABLE IS KEY EVIDENCE. IT SHOULD BE RELEASED**

**SLIDE 62.** S. Doc. 116–18 Vol. I, Pg. 660; 166 Cong. Rec. S398

**THE SENATE SHOULD  
SUBPOENA STATE  
DEPARTMENT OFFICIALS'  
NOTES**

**SLIDE 63.** S. Doc. 116–18 Vol. I, Pg. 660; 166 Cong. Rec. S398

**THE SENATE SHOULD SUBPOENA STATE DEPT. NOTES**

KENT                          Wrote or updated notes to file about the President's scheme at least *four* times

TAYLOR                        "[Took] notes on conversations" in "little notebook"

HOLMES                       Took notes of at least four meetings with President Zelensky and U.S. officials

Kent Dep. Tr. at 165, 182-183, 188-189, 255, 260; Taylor Dep. Tr. at 45-46; Holmes Dep. Tr. at 18, 22, 27, 29, 30, 204

**SLIDE 64.** S. Doc. 116–18 Vol. I, Pg. 661; 166 Cong. Rec. S398

**George Kent Testimony**

"But the more awkward part of the conversation came when Special Representative Volker made the point that the Ukrainians, who had opened their authorities under Zelenskyy, had opened investigations of former President Poroshenko, he didn't think that was appropriate.

And then Andriy Yermak said: What? You mean the type of investigations you're pushing for us to do on Biden and Clinton?"

Kent Dep. Tr. at 329

**SLIDE 65.** S. Doc. 116–18 Vol. I, Pg. 661; 166 Cong. Rec. S398

**THE SENATE SHOULD SUBPOENA  
STATE DEPARTMENT DOCUMENTS**

- 1. Communications, Including WhatsApp and Other Text Messages**
- 2. Emails**
- 3. Diplomatic Cables**
- 4. Officials' Notes**

**SLIDE 66.** S. Doc. 116–18 Vol. I, Pg. 661; 166 Cong. Rec. S398

**NO NEED FOR JUDICIAL ENFORCEMENT**

- ▶ **Not Done in Any Previous Impeachment**
- ▶ **President Trump Claims the House Is Not Even Allowed to Seek Judicial Enforcement**
- ▶ **FOIA Process Too Slow**
- ▶ **FOIA Documents Heavily Redacted**
- ▶ **Litigation Takes Years**

**SLIDE 67.** S. Doc. 116–18 Vol. I, Pg. 671; 166 Cong. Rec. S401

**THE NEED FOR OMB AND DOD DOCUMENTS**

**Los Angeles Times**

Trump froze military aid — as Ukrainian soldiers perished in battle

By SABRA AYRES, SERGEI L. LOIKO

OCT. 16, 2019  
3 AM

Excerpt, Trump froze military aid — as Ukrainian soldiers perished in battle, L.A. Times (Oct. 16, 2016)

**SLIDE 68.** S. Doc. 116–18 Vol. I, Pg. 671; 166 Cong. Rec. S401

**THE NEED FOR OMB AND DOD DOCUMENTS**

 **Central To The President's Scheme:** 

- ▶ DOD Aid Was Frozen By President Trump
- ▶ OMB Issued Freeze At President Trump's Direction
- ▶ DOD Warned OMB That Freeze Was Unlawful
- ▶ DOD Warned OMB That Funds Would Be Lost
- ▶ OMB Scrambled To Justify The Freeze

**SLIDE 69.** S. Doc. 116–18 Vol. I, Pg. 672; 166 Cong. Rec. S402

<b>OMB AND DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID</b>	
<b>For FY 2019</b>	<b>Congress authorizes \$391 Million for Ukraine</b>
<b>May 23</b>	<b>DOD: Ukraine Met Anti-Corruption Benchmarks</b>
<b>June 18</b>	<b>DOD: \$250 Million In Aid To Be Provided</b>
<b>June 19</b>	<b>Blair (WH) to Vought (OMB): “We need to hold it up”</b>
<b>June 19</b>	<b>Email Duffey (OMB) to DOD: Questions About Aid</b>

**SLIDE 70.** S. Doc. 116–18 Vol. I, Pg. 673; 166 Cong. Rec. S403

<b>OMB AND DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID</b>	
<b>June 19 Email From OMB To DOD</b>	
<b>On Jun 19, 2019, at 6:37 PM, Duffey, Michael P. EOP/OMB (b) (6)</b>	> wrote:
<b>Elaine –</b>	
<b>The President has asked about this funding release, and I have been tasked to follow-up with someone over there to get more detail. Do you have insight on this funding?</b>	
<b>Thanks, Mike</b>	

Downloaded from OMB and DOD FOIA Requests to Center for Public Integrity, at 4:27 (Dec. 12, 2018)

**SLIDE 71.** S. Doc. 116–18 Vol. I, Pg. 673; 166 Cong. Rec. S403

**OMB AND DOD DOCUMENTS REVEAL THE  
IMPLEMENTATION OF THE PRESIDENT'S HOLD**

July 3	<b>State Dept: OMB is blocking Congressional Notification for Ukraine aid</b>
July 12	<b>Email from Blair to Duffey (OMB): “the President is directing a hold on military support for Ukraine”</b>

Cited in Hahn Testimony Tr. at 24; Vindman Dep. Tr. at 174-179; Sandy Dep. Tr. at 39, 59

**SLIDE 72.** S. Doc. 116–18 Vol. I, Pg. 673; 166 Cong. Rec. S403

**Mark Sandy Testimony**

Q:	... So this July 12th email from Mr. Blair, what did it say?
SANDY:	To the best of my recollection, that the President is directing a hold on military support funding from Ukraine.
Q:	What else was in that email?
SANDY:	Nothing that I recall.
Q:	Was any other country mentioned?
SANDY:	No.
Q:	Any other security assistance package?
SANDY:	No.

Sandy Dep. Tr. 39, 59

**SLIDE 73.** S. Doc. 116–18 Vol. I, Pg. 674; 166 Cong. Rec. S403

**OMB AND DOD DOCUMENTS WOULD SHED MORE LIGHT ON MEETINGS ABOUT THE FREEZE**

 **Questions Remain...** 

- ▶ Did OMB have talking points for these meetings?
- ▶ Did OMB and DOD officials take notes during them?
- ▶ Did OMB and DOD officials exchange emails about what was going on?
- ▶ Did OMB discuss reasons they could give for the freeze?

**The American People Deserve Answers**

**SLIDE 74.** S. Doc. 116–18 Vol. I, Pg. 674; 166 Cong. Rec. S403

**OMB AND DOD DOCUMENTS REVEAL KEY FACTS ABOUT JULY 25**

~9:00 am	<b>President Trump to Zelensky: “do us a favor though”</b>
~11:00 am	<b>Email from Duffey (OMB) to DOD: keep information “closely held”</b>

[JULY 25 Call Record: FOIA, Center for Public Integrity, OMB and DOD at 48 (Dec. 12, 2019)]

**SLIDE 75.** S. Doc. 116–18 Vol. I, Pg. 674/715; 166 Cong. Rec. S403/S418

**JULY 25 EMAIL FROM OMB TO DOD**

**From:** Duffey, Michael P. EOP/OMB <(b) (6)>  
**Sent:** Thursday, July 25, 2019 11:04 AM  
**To:** David.Norquist<(b) (6)>; McCusker, Elaine A HON OSD OUSD C (US) <(b) (6)>; eric.chewning<(b) (6)>  
**Cc:** Sandy, Mark S. EOP/OMB <(b) (6)>  
**Subject:** Ukraine Foreign Assistance

David/Elaine/Eric:

Based on guidance I have received and in light of the Administration's plan to review assistance to Ukraine, including the Ukraine Security Assistance Initiative, please hold off on any additional DoD obligations of these funds, pending direction from that process. I understand that DOD will continue its planning and casework during this period and that this brief pause in obligations will not preclude DOD's timely execution of the final policy direction.

We intend to formalize the pause with an apportionment footnote to be provided later today.

Given the sensitive nature of the request, I appreciate your keeping that information closely held to those who need to know to execute the direction. Please let me know if you have any questions.

DR 15, DOD 10-3265 (D.D.C.) 20 Dec 19 040

**SLIDE 76.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S403

**OMB APPORTIONMENT SCHEDULE – JULY 25**

**"Amounts apportioned, but not yet obligated...for the Ukraine Security Assistance Initiative (Initiative) are not available for obligation until August 5, 2019, to allow for an interagency process to determine the best use of such funds.... OMB understands from [DOD] that this brief pause in obligations will not preclude DOD's timely execution of the final policy direction. DOD may continue its planning and casework for the Initiative during this period."**

Reproduced under OMB Apportionment Schedule, July 25, 2019

**SLIDE 77.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S403

**OMB AND DOD DOCUMENTS REVEAL  
KEY FACTS ABOUT JULY 25**

Questions Remain...

- ▶ Where was Duffey's guidance coming from?
- ▶ Why was the request "sensitive"?
- ▶ What was the connection between OMB's direction and the President's call with Zelensky?
- ▶ Did OMB and DOD officials communicate about the questions from Ukrainian officials?

The American People Deserve Answers

**SLIDE 78.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S403

**OMB AND DOD  
DOCUMENTS WOULD REVEAL FACTS  
ABOUT POLITICAL APPOINTEE'S  
TAKEOVER OF UKRAINE RESPONSIBILITY**

**SLIDE 79.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S404

**Mark Sandy Testimony**

Q: And prior to the change in delegation of the approval process for apportionments regarding USAI, which took that responsibility away from you, a career official, to Mr. Duffey, a political official, you had raised concerns about the hold on Ukraine security assistance with Mr. Duffey, correct? Prior to July 29th?

Sandy: Yes. I had raised concerns about the implementation.

Q: And specifically how to implement it in light of the Impoundment Control Act?

Sandy: That's correct.

Sandy Duy - Pg. 675

**SLIDE 80.** S. Doc. 116–18 Vol. I, Pg. 675; 166 Cong. Rec. S404

**OMB AND DOD DOCUMENTS WOULD REVEAL FACTS ABOUT TAKEOVER OF UKRAINE RESPONSIBILITY**

**Questions Remain...**

- ▶ Why did Duffey take over Ukraine responsibility?
- ▶ Was the White House involved in that decision?
- ▶ Was Sandy removed because he expressed concerns about the legality of the hold?

**The American People Deserve Answers**

**SLIDE 81.** S. Doc. 116–18 Vol. I, Pg. 676; 166 Cong. Rec. S404

**OMB AND DOD DOCUMENTS REVEAL CONCERNS ABOUT THE IMPACT AND LEGALITY OF PRESIDENT TRUMP'S FREEZE**

**Questions Remain...**

- ▶ Did White House respond to OMB's concerns and recommendation to release the aid?
- ▶ Did White House instruct OMB to create paper trail to try to justify the hold?

**The American People Deserve Answers**

**SLIDE 82.** S. Doc. 116–18 Vol. I, Pg. 676; 166 Cong. Rec. S404

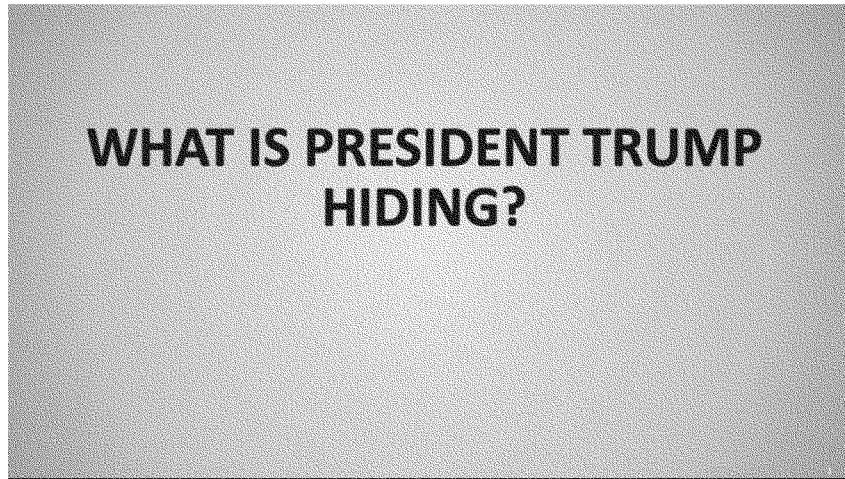
**THE PRESIDENT'S SCHEME UNRAVELS**

**Questions Remain...**

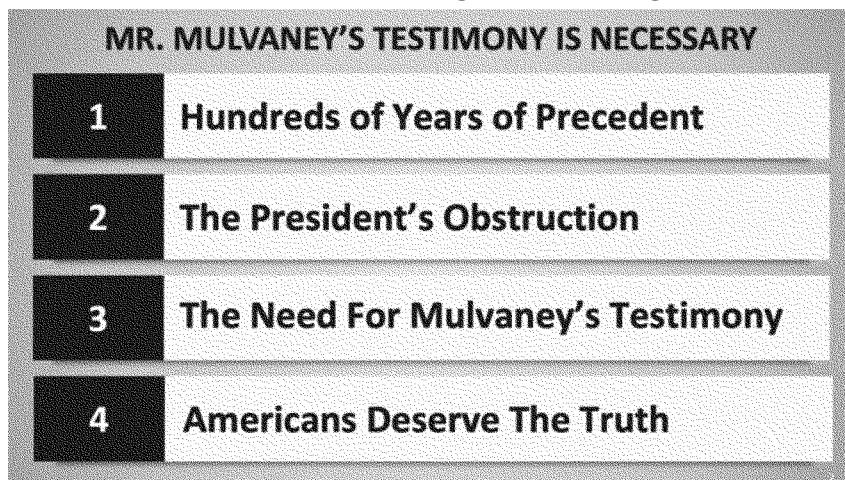
- ▶ Did White House direct OMB to continue the hold?
- ▶ What was OMB told about why President released the aid?
- ▶ What communications did DOD and OMB have with the White House around this time?
- ▶ Did anyone connect the dots about the real reason for the hold?

**The American People Deserve Answers**

**SLIDE 83.** S. Doc. 116–18 Vol. I, Pg. 683; 166 Cong. Rec. S406



**SLIDE 84.** S. Doc. 116–18 Vol. I, Pg. 683; 166 Cong. Rec. S406



**SLIDE 85.** S. Doc. 116–18 Vol. I, Pg. 684; 166 Cong. Rec. S407

HUNDREDS OF YEARS OF PRECEDENT			
Impeached Official	Witnesses	Impeached Official	Witnesses
Judge Pickering (1804)	11	Judge Archbald (1913)	112
Justice Chase (1805)	49	Judge Louderback (1933)	44
Judge Peck (1830-31)	19	Judge Ritter (1936)	25
Judge Humphreys (1862)	9	Judge Claiborne (1986)	19
President Johnson (1868)	40	Judge Hastings (1989)	55
Sec. of War Belknap (1876)	40	Judge Nixon (1989)	10
Judge Swayne (1905)	44	President Clinton (1999)	3
Average # Witnesses Per Senate Trial		33	

**SLIDE 86.** S. Doc. 116–18 Vol. I, Pg. 685; 166 Cong. Rec. S407

**MULVANEY'S TESTIMONY IS NECESSARY**

Reason 2	<b>The President's Obstruction</b>
	<ul style="list-style-type: none"> <li>▶ Blanket Order To Administration: Don't Participate</li> <li>▶ Produced <u>0</u> Documents</li> <li>▶ Ignored <u>71</u> Requests</li> </ul>

**SLIDE 87.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S407

	PRESIDENT TRUMP	PRESIDENT CLINTON	PRESIDENT JOHNSON
<b>Key Witnesses Blocked</b>	<u>12</u>	<u>0</u>	<u>0</u>
<b>Subpoenaed Witnesses Blocked</b>	<u>9</u>	<u>0</u>	<u>0</u>
<b># Witnesses in Senate Trial</b>	???	<u>3</u>	<u>40</u>

Source: Intelligence Committee Unofficial Report at 31; Clinton Senate Trial Proceedings, Vol. III at VIF; Johnson Senate Trial Proceedings, Vol. I at VIF.

**SLIDE 88.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S407

THE PRESIDENT'S OBSTRUCTION: CONTRARY TO SUPREME COURT PRECEDENT	
	<p><b>"[When the House or Senate is considering] a question of ... impeachment, ... [there is] no reason to doubt <u>the right to compel the attendance of witnesses, and their answer to proper questions, in the same manner and by the use of the same means that courts of justice can in like cases.</u>"</b></p>
<small>Original document at 73 U.S. 135 (1837)</small>	

**SLIDE 89.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S407

**THE PRESIDENT'S OBSTRUCTION:  
CONTRARY TO HISTORY AND PRECEDENT**



**Justice Joseph Story:**  
“[The President] should not have the power of preventing a thorough investigation of [his] conduct, or of securing [himself] against the disgrace of a public conviction by impeachment, if [he] should deserve it.”

Joseph Story, Commentaries, Vol. 2

**SLIDE 90.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S407

**THE PRESIDENT'S OBSTRUCTION:  
CONTRARY TO HISTORY AND PRECEDENT**



**Rep. John Quincy Adams:**  
“What mockery would it be for the Constitution of the United States to say that the House should have the power of impeachment, extending even to the President of the United States himself, and yet to say that the House had not the power to obtain the evidence and proofs on which their impeachment was based.”

Cong. Docs. 116-18, Vol. I, Pg. 686 (2021)

**SLIDE 91.** S. Doc. 116–18 Vol. I, Pg. 686; 166 Cong. Rec. S408

**MULVANEY'S TESTIMONY IS NECESSARY**

**Reason 2      The President's Obstruction**

- ▶ **No Other President Has Done This**
- ▶ **Precedent Is Clear: The President Must Comply with Impeachment Inquiry**
- ▶ **The President Is Not Above The Law**

**SLIDE 92.** S. Doc. 116–18 Vol. I, Pg. 687; 166 Cong. Rec. S408

**MULVANEY'S TESTIMONY IS NECESSARY**

**Reason 3      The Need For Mulvaney's Testimony**

- ▶ **4 Key Reasons Why President Trump Wants To Hide Mulvaney's Testimony**

**SLIDE 93.** S. Doc. 116–18 Vol. I, Pg. 687; 166 Cong. Rec. S408

**MULVANEY TESTIMONY: 4 KEY REASONS**

**1 President's Top Aide**



Mick Mulvaney

- ▶ Firsthand knowledge
- ▶ “In the loop” at every stage
- ▶ Ordered by President to execute freeze on military aid
- ▶ Senior-most staff position, oversaw White House staff
- ▶ Head of OMB

**SLIDE 94.** S. Doc. 116–18 Vol. I, Pg. 687; 166 Cong. Rec. S408

**MULVANEY TESTIMONY: 4 KEY REASONS**

**2 Critical Role Planning Ukraine Pressure Scheme**



Mick Mulvaney

- ▶ Sondland: “Everyone was in the loop” and the Ukraine scheme “was no secret”

SLIDE 95. S. Doc. 116–18 Vol. I, Pg. 689; 166 Cong. Rec. S409

**MULVANEY TESTIMONY: 4 KEY REASONS**

**2 Critical Role Planning Ukraine Pressure Scheme**



Mick Mulvaney

Sondland Hearing Opening Statement

- ▶ Sondland July 19 Email: Zelensky “is prepared to receive Potus’ call. Will assure him that he intends to run a fully transparent investigation and will ‘turn over every stone.’”
- ▶ Mulvaney Response: “I asked NSC to set it up for tomorrow”

SLIDE 96. S. Doc. 116–18 Vol. I, Pg. 690; 166 Cong. Rec. S409

**MULVANEY TESTIMONY: 4 KEY REASONS**

**3 Critical Role Implementing Ukraine Pressure Scheme**



The New York Times

**Mick Mulvaney**

To: Robert Blair

Fri 06/27/2019

“I’m just trying to tie up some loose ends,” Mr. Mulvaney wrote.  
“Did we ever find out about the money for Ukraine and whether we can hold it back?”

**SLIDE 97.** S. Doc. 116–18 Vol. I, Pg. 690; 166 Cong. Rec. S409

**MULVANEY TESTIMONY: 4 KEY REASONS**

**3 Critical Role Implementing  
Ukraine Pressure Scheme**



Mick Mulvaney

- ▶ Multiple witnesses: President directed Mulvaney to issue aid freeze
- ▶ WashPo: "Email exchanges" between Mulvaney and OMB officials
  - Concerns with freeze
  - After-the-fact justification

Josh Dawsey et al., White House review turns to emails showing extensive efforts to justify Trump's decision to block Ukraine military aid, Wash Post, Nov. 28, 2019

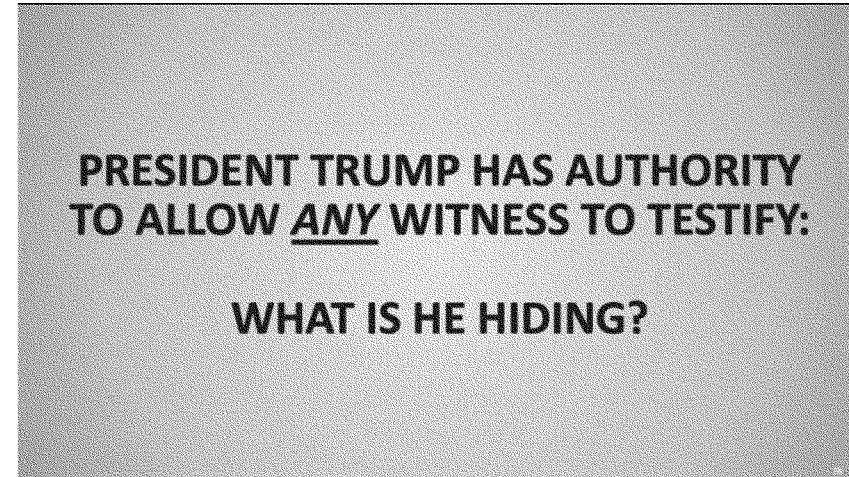
**SLIDE 98.** S. Doc. 116–18 Vol. I, Pg. 691; 166 Cong. Rec. S410

**PRESIDENT TRUMP CANNOT BE  
ALLOWED TO PLACE HIMSELF ABOVE THE  
LAW**

**SLIDE 99.** S. Doc. 116–18 Vol. I, Pg. 692/692; 166 Cong. Rec. S410/S410



**SLIDE 100.** S. Doc. 116–18 Vol. I, Pg. 692; 166 Cong. Rec. S410



**SLIDE 101.** S. Doc. 116–18 Vol. I, Pg. 701; 166 Cong. Rec. S413

**THE NEED FOR DOD DOCUMENTS**

DOD Documents Would Provide Insight:

- ▶ President's decision-making and motivations
- ▶ Legal concerns of DOD and OMB officials
- ▶ President's awareness of illegality of the hold
- ▶ Efforts of OMB to justify the hold
- ▶ Concerns about the impact of the hold
- ▶ Efforts of senior officials to release the aid

**SLIDE 102.** S. Doc. 116–18 Vol. I, Pg. 702; 166 Cong. Rec. S414

**DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID**

For FY 2019	Congress authorizes \$391 Million for Ukraine
May 23	DOD: Ukraine Met Anti-Corruption Benchmarks
June 18	DOD: \$250 Million In Aid To Be Provided
June 19	Blair (WH) to Vought (OMB): "We need to hold it up"
June 19	Email Duffey (OMB) to DOD: Questions About Aid

Source: The Ukraine-Russia impeachment inquiry Report; Behind the Ukraine Aid Fiasco, N.Y. Times (Dec. 29, 2019); OMB and DOD FOIA Release to Comptroller General (Dec. 13, 2019).

**SLIDE 103.** S. Doc. 116–18 Vol. I, Pg. 702/712; 166 Cong. Rec. S414/S417

### DOD DOCUMENTS REVEAL INITIAL QUESTIONS RAISED ABOUT THE AID

#### June 19 Email From OMB To DOD

On Jun 19, 2019, at 6:37 PM, Duffey, Michael P. EOP/OMB [(b) (6)] > wrote:

Elaine –

The President has asked about this funding release, and I have been tasked to follow-up with someone over there to get more detail. Do you have insight on this funding?

Thanks,  
Mike

Decomposed from DMB and DOD FOIA Release by Center for Public Integrity, at 42 (Dec. 12, 2019)

**SLIDE 104.** S. Doc. 116–18 Vol. I, Pg. 703; 166 Cong. Rec. S414

### Laura Cooper Testimony

"[O]n the issue of... Ukraine asking questions about possible issues with the flow of assistance, my staff showed me two unclassified emails that they received from the State Department.

One was received on July 25th at 2:31 p.m. That email said that the Ukrainian Embassy and House Foreign Affairs Committee are asking about security assistance. The second email was received on July 25th at 4:25 p.m. That email said that The Hill knows about the FMF situation to an extent, and so does the Ukrainian Embassy."

Cooper Note Tr. 13-14

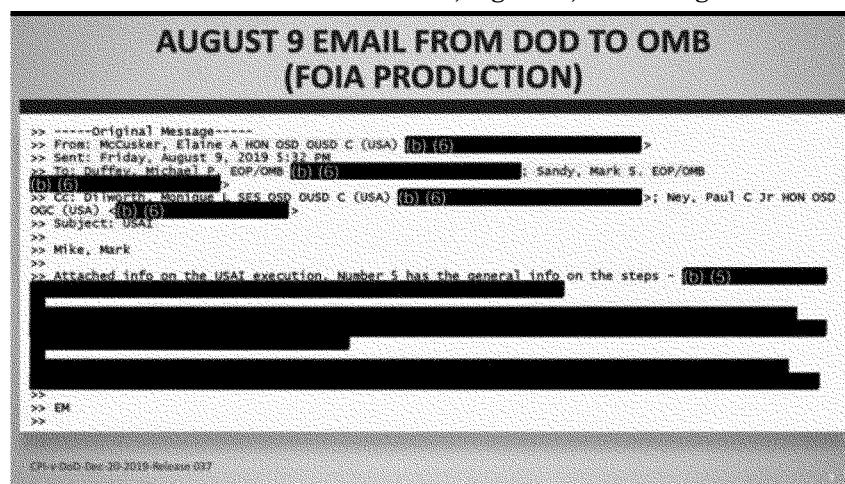
JANUARY 21, 2020

1629

**SLIDE 105.** S. Doc. 116–18 Vol. I, Pg. 703; 166 Cong. Rec. S414



**SLIDE 106.** S. Doc. 116–18 Vol. I, Pg. 703; 166 Cong. Rec. S414



**SLIDE 107.** S. Doc. 116–18 Vol. I, Pg. 703/716; 166 Cong. Rec. S414/S419

**AUGUST 9 EMAIL FROM DOD TO OMB  
(PUBLIC REPORTING)**

 **McCusker To Senior OMB Officials**

**"As we discussed, as of 12 AUG I don't think we can agree that the pause 'will not preclude timely execution.' We hope it won't and will do all we can to execute once the policy decision is made, but can no longer make that declarative statement."**

Joint Security Reporting

**SLIDE 108.** S. Doc. 116–18 Vol. I, Pg. 704/717; 166 Cong. Rec. S414/S419

**AUGUST 29 EMAIL FROM DOD TO OMB  
(PUBLIC REPORTING)**

 **McCusker To Duffey**

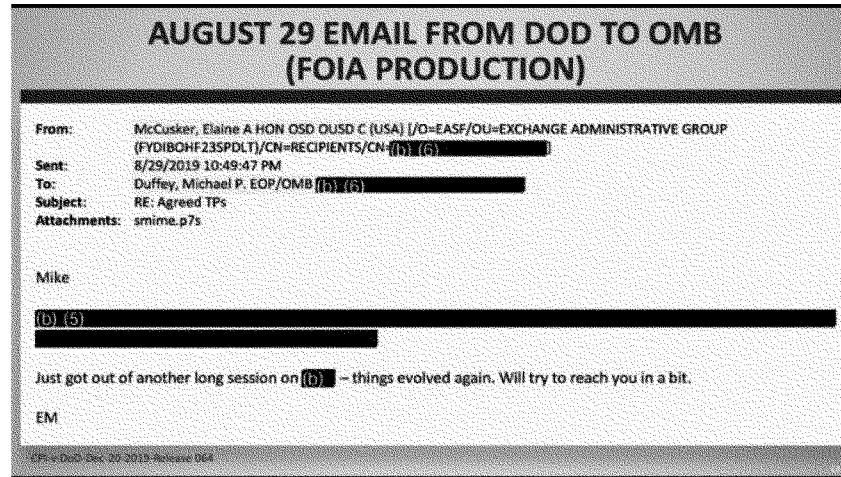
**"I don't agree to the revised TPs – the last one is just not accurate from a financial execution standpoint, something we have been consistently conveying for a few weeks."**

Facsimile: Unredacted Unclassified Documents: Revised Extent of Pentagon's Legal Concerns, Joint Security (Jan. 3, 2020)

JANUARY 21, 2020

1631

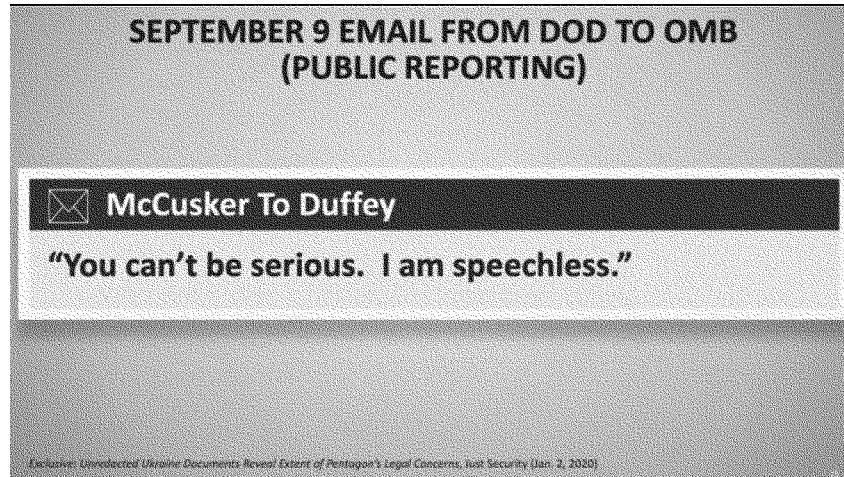
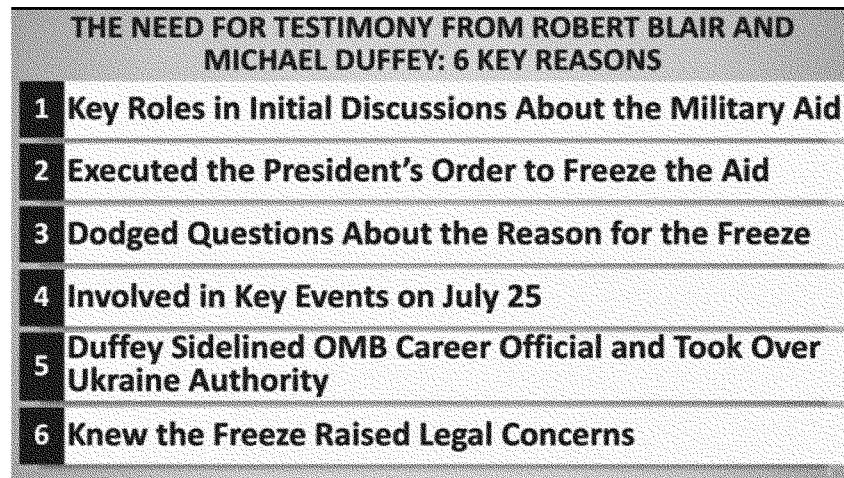
**SLIDE 109.** S. Doc. 116–18 Vol. I, Pg. 704; 166 Cong. Rec. S414



**SLIDE 110.** S. Doc. 116–18 Vol. I, Pg. 704; 166 Cong. Rec. S414

A large black rectangular box covers the central portion of the slide, obscuring most of the text and imagery that would normally be present in that area. The text "THE PRESIDENT'S SCHEME UNRAVELS" is visible at the top center of the slide, positioned above the redacted area.

**THE PRESIDENT'S SCHEME  
UNRAVELS**

**SLIDE 111.** S. Doc. 116–18 Vol. I, Pg. 704; 166 Cong. Rec. S414**SLIDE 112.** S. Doc. 116–18 Vol. I, Pg. 711; 166 Cong. Rec. S417

**SLIDE 113.** S. Doc. 116–18 Vol. I, Pg. 712; 166 Cong. Rec. S417**BLAIR AND DUFFEY: 6 KEY REASONS****1 Key Roles in Initial Discussions About the Military Aid**► **June 19:**

- **Blair to Vought (OMB):** “We need to hold it up”
- **Duffey to DOD:** “The President has asked about this funding release”

Eric Lipton et al., *Behind the Ukraine Aid Freeze: 84 Days of Conflict and Confusion*, N.Y. Times, Dec. 29, 2019; FOIA Release, Center for Public Integrity, (Dec. 23, 2020).**SLIDE 114.** S. Doc. 116–18 Vol. I, Pg. 712; 166 Cong. Rec. S417**BLAIR AND DUFFEY: 6 KEY REASONS****1 Key Roles in Initial Discussions About the Military Aid**► **Blair and Duffey Can Answer:**

- What led Blair to call Vought?
- What prompted Duffey’s email to DOD?
- What conversations did they have with the President or Mulvaney?

SLIDE 115. S. Doc. 116–18 Vol. I, Pg. 712; 166 Cong. Rec. S417

### BLAIR AND DUFFEY: 6 KEY REASONS

#### 1 Key Roles in Initial Discussions About the Military Aid

- ▶ June 27: Blair to Mulvaney: "Expect Congress to become unhinged"
- ▶ Blair Can Answer:
  - When did Mulvaney and Blair begin discussing the hold?
  - Were there further discussions?
  - Did Mulvaney explain why the President wanted the hold?
  - Did Blair raise objections?

SLIDE 116. S. Doc. 116–18 Vol. I, Pg. 713; 166 Cong. Rec. S417

### BLAIR AND DUFFEY: 6 KEY REASONS

#### 2 Executed the President's Order to Freeze the Aid

- ▶ July 3: State Dept.: OMB is blocking Congressional Notification
- ▶ Duffey Can Answer:
  - Who from OMB issued the order?
  - At whose direction?
  - Was any reason provided?

SLIDE 117. S. Doc. 116–18 Vol. I, Pg. 713; 166 Cong. Rec. S417

### Mark Sandy Testimony

Q: ... So this July 12th email from Mr. Blair, what did it say?  
A: To the best of my recollection, that the President is directing a hold on military support funding from Ukraine.  
Q: What else was in that email?  
A: Nothing that I recall.  
Q: Was any other country mentioned?  
A: No.

SLIDE 118. S. Doc. 116–18 Vol. I, Pg. 713; 166 Cong. Rec. S417

### BLAIR AND DUFFEY: 6 KEY REASONS

#### 2 Executed the President's Order to Freeze the Aid

- ▶ **July 12: Blair to Duffey:** "President is directing a hold on military support funding for Ukraine"
- ▶ **Blair Can Answer:**
  - What other discussions took place?
  - Did the President or Mulvaney give Blair a reason?
  - Did Blair know the hold was done to pressure Ukraine to announce political investigations?

**SLIDE 119.** S. Doc. 116–18 Vol. I, Pg. 713; 166 Cong. Rec. S418

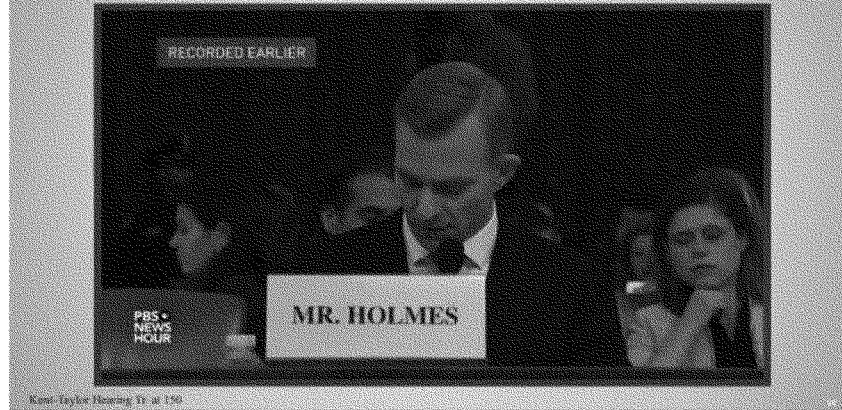
### BLAIR AND DUFFEY: 6 KEY REASONS

#### 3 Dodged Questions About the Reason for the Freeze

- ▶ Around July 17/18: Duffey asks Blair for the reason for the freeze.
  - **Blair's Response:** "We need to let the hold take place" and then "revisit" the issue with the President

**SLIDE 120.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418

### NO EXPLANATION FOR THE FREEZE



**SLIDE 121.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418

**JULY 26 MEETING**

**Catherine Croft Testimony**

**Q:** Did you ever learn what Mike Duffey meant by "corruption" when he made this statement at the July 26 deputies' meeting?

**A** No.

**Mark Sandy Testimony**

**Q:** But did OMB have an understanding of the reason for the hold on July 26th?

**A** No.

Croft Dep. Tr. at 32; Sandy Dep. Tr. at 97

**SLIDE 122.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418

**JULY 19 EMAIL FROM SONDLAND TO BLAIR AND OTHER TOP OFFICIALS**

**✉ Subject: Re: I Talked to Zelensky just now**

He is prepared to receive Potus' call. Will assure him that he intends to run a fully transparent investigation and will "turn over every stone." He would greatly appreciate a call prior to Sunday so that he can put out some media about a "friendly and productive call" (no details) prior to Ukraine election on Sunday.

Source: House Statement by Sonland, p. 21

**SLIDE 123.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418

### BLAIR AND DUFFEY: 6 KEY REASONS

#### 4 Involved in Key Events on July 25

- ▶ **Blair Can Answer:**
  - What was his involvement in setting up the call?
  - What did he understand Sondland's email to mean?
  - What did he know about the investigations?
  - Did he speak with the President or Mulvaney about it?

**SLIDE 124.** S. Doc. 116–18 Vol. I, Pg. 714; 166 Cong. Rec. S418

### BLAIR AND DUFFEY: 6 KEY REASONS

#### 4 Involved in Key Events on July 25

- ▶ **July 25:** Blair joins July 25 call and hears President Trump request a “favor,” i.e., investigations of the 2016 election and Vice President Biden

**SLIDE 125.** S. Doc. 116–18 Vol. I, Pg. 715; 166 Cong. Rec. S418  
Williams

**REACTIONS TO THE JULY 25 CALL**

 <b>VINDMAN</b>	“[The July 25 call] was wrong” and he had a “duty to report it”
 <b>MORRISON</b>	Reported the July 25 call “pretty much right away” and “recommended that we restrict access to the package”
 <b>WILLIAMS</b>	“[The July 25 call] struck me as unusual and inappropriate,” and “more political in nature”

Vindman Dep. Tr. at 354; Vuker-Morrison Hearing Tr. at 36-37; Williams Dep. Tr. at 129, 149

**SLIDE 126.** S. Doc. 116–18 Vol. I, Pg. 715; 166 Cong. Rec. S418

**BLAIR AND DUFFEY: 6 KEY REASONS**

**4 Involved in Key Events on July 25**

► **Blair Can Answer:**

- What was Blair’s reaction to the call?
- Did he take notes?
- Was he concerned like the other officials?

SLIDE 127. S. Doc. 116–18 Vol. I, Pg. 715; 166 Cong. Rec. S418

### BLAIR AND DUFFEY: 6 KEY REASONS

#### 4 Involved in Key Events on July 25

- ▶ **July 25:** Based on “guidance,” Duffey directs DOD to maintain freeze and keep it “closely held”
- ▶ **Duffey Can Answer:**
  - What was the guidance Duffey received?
  - Who gave it to him?
  - Was it connected to the President’s call with Zelensky?
  - Why did he tell DOD to keep it quiet?

SLIDE 128. S. Doc. 116–18 Vol. I, Pg. 715; 166 Cong. Rec. S418

### BLAIR AND DUFFEY: 6 KEY REASONS

#### 5 Duffey Sidelined OMB Career Official and Took Over Authority To Withhold Ukraine Aid

- ▶ **July 29:** Sandy removed from responsibility after he raises legal concerns; Duffey takes over
- ▶ **Duffey Can Answer:**
  - Why did he take control of the Ukraine aid?
  - Was Sandy removed because he expressed concerns about the legality of the hold?
  - Did the White House order Duffey to assume responsibility?

**SLIDE 129.** S. Doc. 116–18 Vol. I, Pg. 716; 166 Cong. Rec. S419**BLAIR AND DUFFEY: 6 KEY REASONS****6 Knew the Freeze Raised Legal Concerns**

- ▶ July/August: DOD warned Duffey repeatedly that the freeze raised legal concerns
  - Aug. 9: DOD can no longer support claim that hold “will not preclude timely execution”
  - Aug. 12: “execution risk increases with continued delays”

**SLIDE 130.** S. Doc. 116–18 Vol. I, Pg. 716; 166 Cong. Rec. S419**AUGUST 12 EMAIL TO DUFFEY  
(PER PUBLIC REPORTING)** **McCusker To Duffey**

**Based on OMB’s communication with DOD on August 12, 2019, OMB understands from the Department that this additional pause in obligations may not preclude DOD’s timely execution of the final policy direction but that execution risk increases with continued delays.**

*Excluded from the public reporting of the House Select Committee on Intelligence's Legal Concerns until January 2, 2020.*

SLIDE 131. S. Doc. 116–18 Vol. I, Pg. 716; 166 Cong. Rec. S419

### BLAIR AND DUFFEY: 6 KEY REASONS

#### 6 Knew the Freeze Raised Legal Concerns

► Duffey Can Answer:

- Did he take any actions in response to DOD's concerns?
- Did he take direction from Blair, the White House, or President Trump?

SLIDE 132. S. Doc. 116–18 Vol. I, Pg. 728/728; 166 Cong. Rec. S423/S423

### AMB. BOLTON'S TESTIMONY IS NECESSARY

- 1 President's Top National Security Aide and Now Willing to Testify
- 2 Direct Knowledge of President's Scheme: Akin to "Drug Deal"
- 3 Expressed Concerns That Giuliani Would "Blow Everybody Up"
- 4 Predicted July 25 Call Would Be "Disaster" and Urged Officials to Report Concerns
- 5 Actively Involved In Addressing President's Freeze On Ukraine Military Aid

**SLIDE 133.** S. Doc. 116–18 Vol. I, Pg. 729; 166 Cong. Rec. S423**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS****1****President's Top National Security Aide  
and Now Willing to Testify**Ambassador John  
Bolton

- ▶ Reported directly to President Trump
- ▶ Supervised NSC staff, including 3 key witnesses
- ▶ Oversaw foreign policy and national security matters
- ▶ Said he is willing to testify and has new, relevant information

**SLIDE 134.** S. Doc. 116–18 Vol. I, Pg. 729; 166 Cong. Rec. S423**AMB. BOLTON WAS A TOP AIDE AND IS  
NOW WILLING TO TESTIFY****November 8, 2019 Letter from Amb. Bolton's Counsel**

The same is true, of course, of Ambassador Bolton, who was the National Security Advisor to the President, and who was personally involved in many of the events, meetings, and conversations about which you have already received testimony, as well as many relevant meetings and conversations that have not yet been discussed in the testimonies thus far.

**SLIDE 135.** S. Doc. 116–18 Vol. I, Pg. 729; 166 Cong. Rec. S423**AMB. BOLTON WAS A TOP AIDE AND IS  
NOW WILLING TO TESTIFY****January 6, 2020 Statement of John R. Bolton**

Accordingly, since my testimony is once again at issue, I have had to resolve the serious competing issues as best I could, based on careful consideration and study. I have concluded that, if the Senate issues a subpoena for my testimony, I am prepared to testify.

bolton.house.gov/2020/01/statement-of-john-r-bolton/ [Jan. 6, 2020]**SLIDE 136.** S. Doc. 116–18 Vol. I, Pg. 730; 166 Cong. Rec. S424**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS****2****Direct Knowledge of President's Scheme:  
Akin to "Drug Deal"****Ambassador John  
Bolton**

- ▶ Hill: "Ambassador Bolton immediately stiffened... and ended the meeting."

**SLIDE 137. S. Doc. 116–18 Vol. I, Pg. 731; 166 Cong. Rec. S424****AMB. BOLTON'S TESTIMONY: 5 KEY REASONS****3****Expressed Concerns That Giuliani Would “Blow Everybody Up”**

Ambassador John Bolton

- ▶ Giuliani is a “hand grenade who’s going to blow everybody up”
- ▶ “[N]obody should be meeting with Giuliani”
- ▶ Amb. Bolton was “closely monitoring what Mr. Giuliani was doing”

**SLIDE 138. S. Doc. 116–18 Vol. I, Pg. 731; 166 Cong. Rec. S424****Fiona Hill Testimony**

A: And Ambassador Bolton had said repeatedly that nobody should be meeting with Giuliani. And you may recall before that I said that he described Giuliani as a bit of a hand grenade that was going to blow everyone up.

Q: Uh-huh.

A: And he was obviously, at that point, you know, closely monitoring what Mr. Giuliani was doing and the messaging that he was sending out.

SLIDE 139. S. Doc. 116–18 Vol. I, Pg. 732; 166 Cong. Rec. S425

### Ambassador Bill Taylor Testimony

"Ambassador Bolton was not interested in having – did not want to have the call because he thought it was going to be a disaster. He thought that there could be some talk of investigations or worse on the call.

Taylor Dep. Tr. at 174 (emphasis added)

SLIDE 140. S. Doc. 116–18 Vol. I, Pg. 733; 166 Cong. Rec. S425

### AMB. BOLTON'S TESTIMONY: 5 KEY REASONS

4

Predicted July 25 Call Would Be "Disaster" and Urged Officials to Report Concerns



Ambassador John  
Bolton

- ▶ To Hill: "go to the lawyers"
- ▶ To Taylor: Send first-person cable
- ▶ To Morrison: "Stay out of it, brief the lawyers"
- ▶ To Morrison: "tell the lawyers"

**SLIDE 141.** S. Doc. 116–18 Vol. I, Pg. 733; 166 Cong. Rec. S425**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS****5****Actively Involved In Addressing President's Freeze On Ukraine Military Aid**Ambassador John  
Bolton

- ▶ Led process to convince President to release the aid
- ▶ July 26: Amb. Bolton to Morrison: Entire Cabinet supports releasing the aid

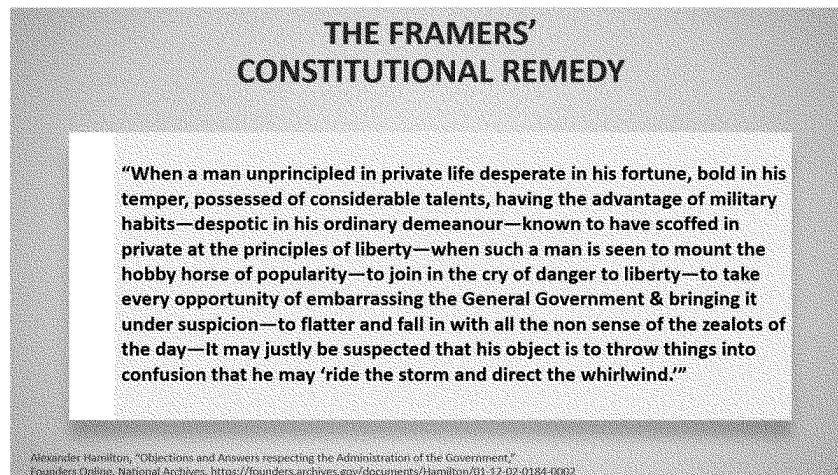
**SLIDE 142.** S. Doc. 116–18 Vol. I, Pg. 735; 166 Cong. Rec. S426**NO LEGITIMATE CLAIM OF EXECUTIVE PRIVILEGE****1****Qualified Privilege Rejected in *Nixon*****2****President Has Not Invoked****3****Absolute Immunity Has Been Rejected By Courts****4****"Presidents are not kings"**



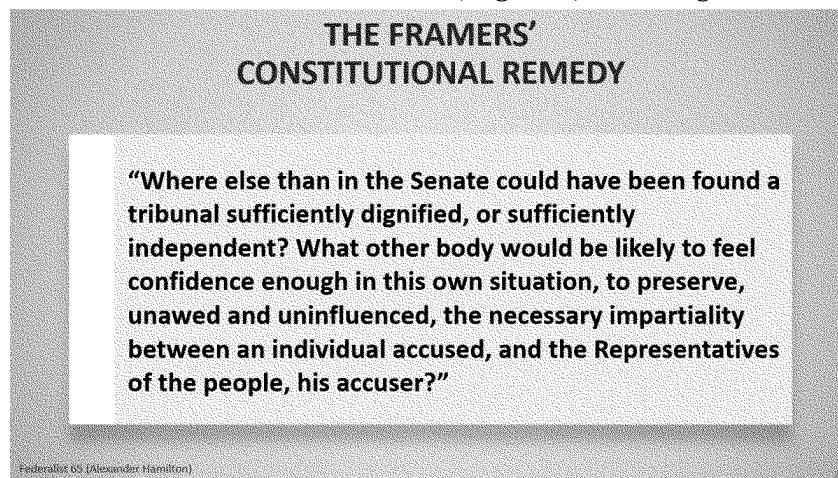
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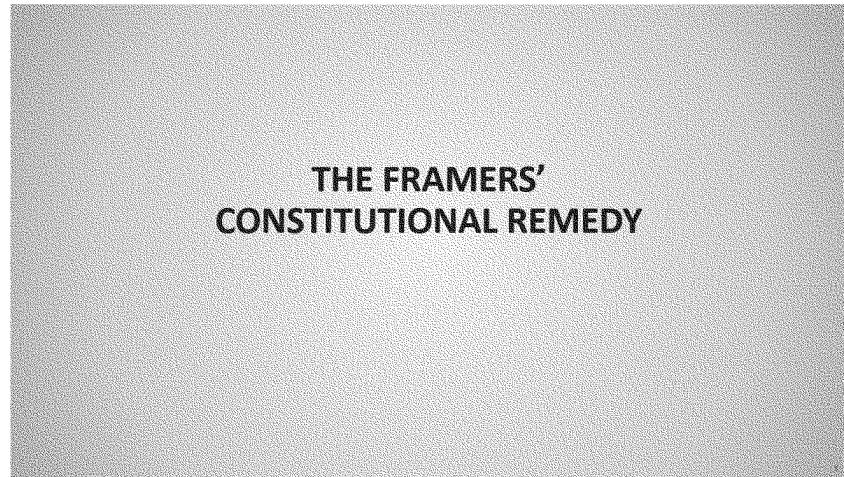
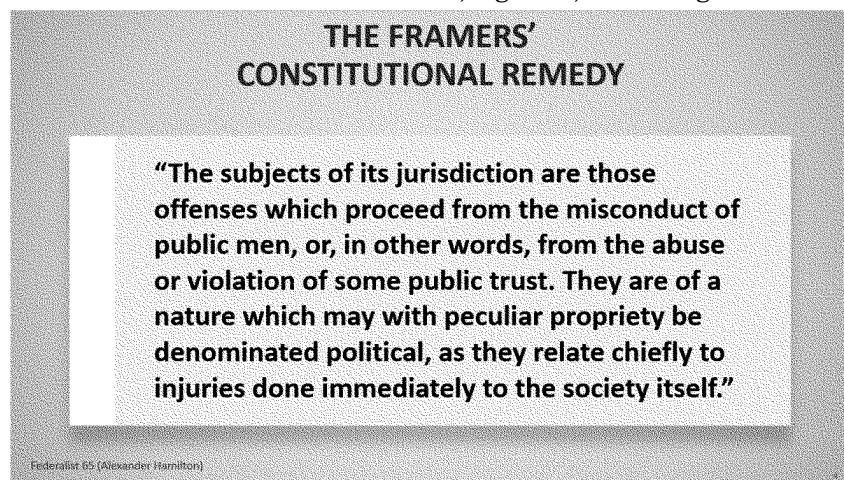
[166 CONG. REC. S443–483 (DAILY ED. JAN. 22, 2020)]

**SLIDE 143.** S. Doc. 116–18 Vol. II, Pg. 758; 166 Cong. Rec. S443



**SLIDE 144.** S. Doc. 116–18 Vol. II, Pg. 764; 166 Cong. Rec. S446

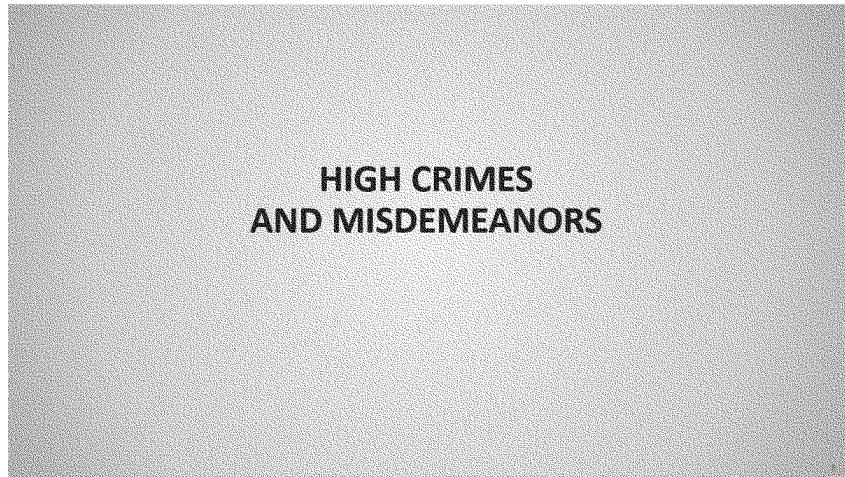


**SLIDE 145.** S. Doc. 116–18 Vol. II, Pg. 764; 166 Cong. Rec. S446**SLIDE 146.** S. Doc. 116–18 Vol. II, Pg. 765; 166 Cong. Rec. S446

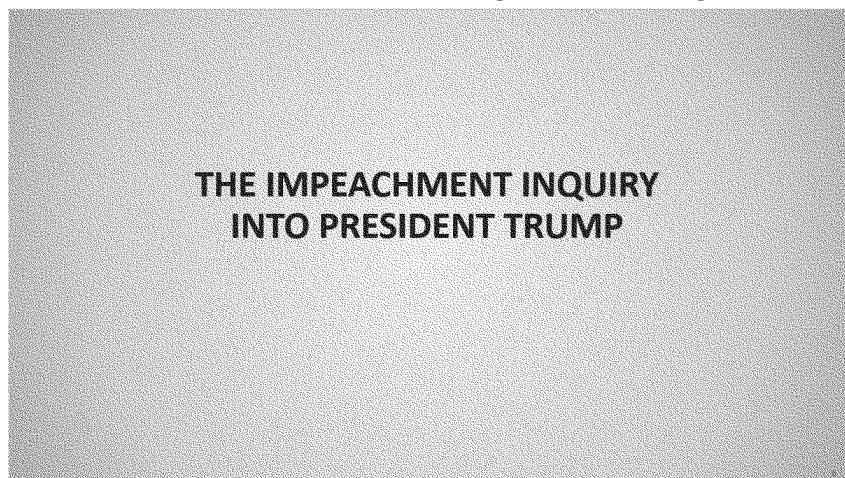
JANUARY 22, 2020

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**SLIDE 147.** S. Doc. 116–18 Vol. II, Pg. 765; 166 Cong. Rec. S446



**SLIDE 148.** S. Doc. 116–18 Vol. II, Pg. 766; 166 Cong. Rec. S446



**SLIDE 149.** S. Doc. 116–18 Vol. II, Pg. 769; 166 Cong. Rec. S448**SLIDE 150.** S. Doc. 116–18 Vol. II, Pg. 769; 166 Cong. Rec. S448

**PRESIDENT TRUMP WANTED FOREIGN ASSISTANCE  
WITH HIS REELECTION CAMPAIGN**

"Second, as we all know, during the presidential campaign in the United States, the Ukrainian government adopted a unilateral position in favor of one candidate.

More than that, certain oligarchs, certainly with the approval of the political leadership, funded this candidate, or female candidate, to be more precise."

*- President Putin*

President Putin, February 2, 2017, Joint News Conference with Prime Minister Orban,  
<http://en.kremlin.ru/events/president/news/53806>

**SLIDE 151.** S. Doc. 116–18 Vol. II, Pg. 770; 166 Cong. Rec. S448**SLIDE 152.** S. Doc. 116–18 Vol. II, Pg. 771; 166 Cong. Rec. S449

**PRESIDENT TRUMP CORRUPTLY SOLICITED FOREIGN INTERFERENCE**

**TRUMP**

"I would like you to do us a favor though because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine, they say Crowdstrike... I guess you have one of your wealthy people... The server, they say Ukraine has it. There are a lot of things that went on, the whole situation. I think you're surrounding yourself with some of the same people."

The White House, Memorandum of Telephone Conversation (July 25, 2019) (online at [www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf](http://www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf)).

A diagram illustrating a telephone conversation. It features two circular icons, each containing a portrait of a man, connected by a vertical line with a small circle in the middle, representing a call. To the right of the icons is a small smartphone icon.

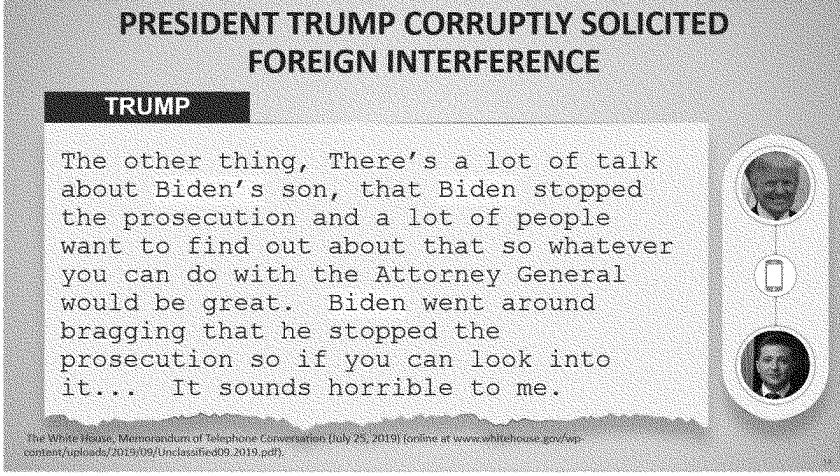
**SLIDE 153.** S. Doc. 116–18 Vol. II, Pg. 722; 166 Cong. Rec. S449

**PRESIDENT TRUMP CORRUPTLY SOLICITED  
FOREIGN INTERFERENCE**

**TRUMP**

The other thing, There's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution so if you can look into it... It sounds horrible to me.

The White House, Memorandum of Telephone Conversation (July 25, 2019) (online at [www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf](http://www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf)).

**SLIDE 154.** S. Doc. 116–18 Vol. II, Pg. 776; 166 Cong. Rec. S450

**PRESIDENT TRUMP CORRUPTLY SOLICITED  
FOREIGN INTERFERENCE**

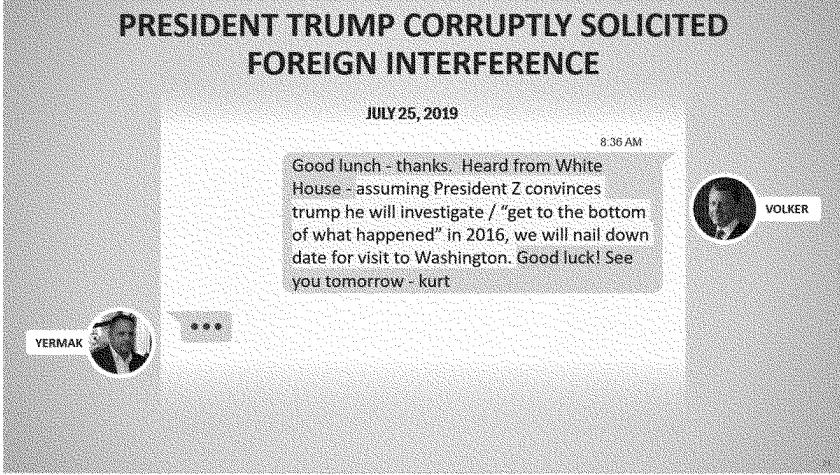
JULY 25, 2019

8:36 AM

Good lunch – thanks. Heard from White House - assuming President Z convinces trump he will investigate / "get to the bottom of what happened" in 2016, we will nail down date for visit to Washington. Good luck! See you tomorrow – kurt

**YERMAK**

VOLKER



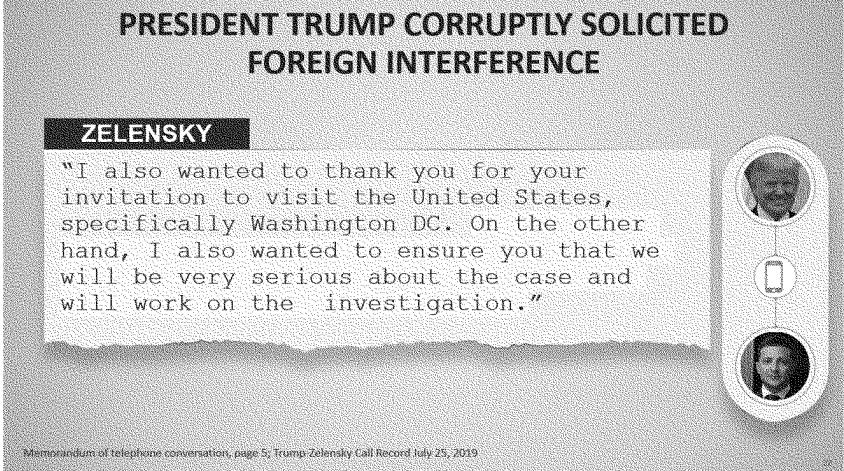
**SLIDE 155.** S. Doc. 116–18 Vol. II, Pg. 776; 166 Cong. Rec. S450

**PRESIDENT TRUMP CORRUPTLY SOLICITED  
FOREIGN INTERFERENCE**

**ZELENSKY**

"I also wanted to thank you for your invitation to visit the United States, specifically Washington DC. On the other hand, I also wanted to ensure you that we will be very serious about the case and will work on the investigation."

Memorandum of telephone conversation, page 5; Trump-Zelensky Call Record, July 25, 2019

**SLIDE 156.** S. Doc. 116–18 Vol. II, Pg. 777; 166 Cong. Rec. S451

**PRESIDENT TRUMP CORRUPTLY SOLICITED  
FOREIGN INTERFERENCE**

**Yermak Draft  
(August 12)**

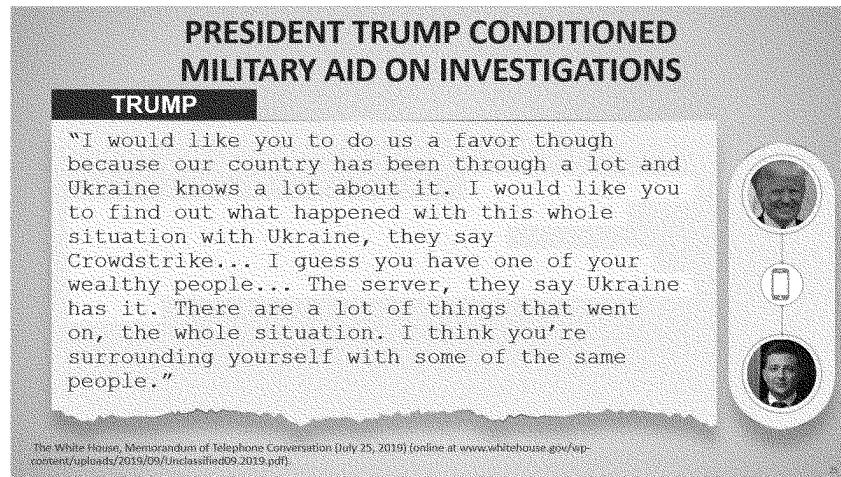
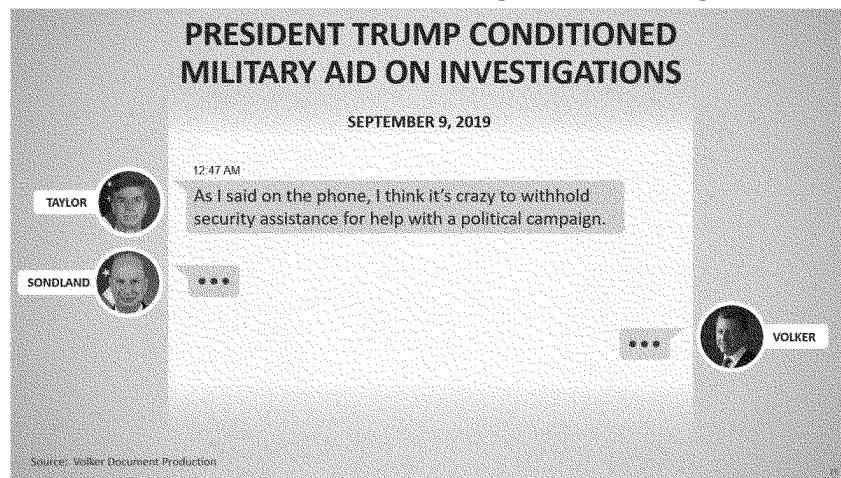
"...We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, which in turn will prevent the recurrence of this problem in the future."

**Giuliani-Volker-Sondland Draft  
(August 13)**

"...We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, including those involving Burisma and the 2016 US elections, which in turn will prevent the recurrence of this problem in the future."

Source: Volker Document Production



**SLIDE 157.** S. Doc. 116–18 Vol. II, Pg. 780; 166 Cong. Rec. S452**SLIDE 158.** S. Doc. 116–18 Vol. II, Pg. 782; 166 Cong. Rec. S453

**SLIDE 159.** S. Doc. 116–18 Vol. II, Pg. 782; 166 Cong. Rec. S453**PRESIDENT TRUMP CONDITIONED  
MILITARY AID ON INVESTIGATIONS**

**TAYLOR:** "That security system was so important for Ukraine, as well as our own national interest, to withhold that assistance for no good reason other than help with the political campaign made no sense. It was counterproductive to all of what we had been trying to do. It was illogical. It could not be explained. It was crazy."

Description of William Taylor, October 22, 2019.

**SLIDE 160.** S. Doc. 116–18 Vol. II, Pg. 782; 166 Cong. Rec. S453**PRESIDENT TRUMP CONDITIONED  
MILITARY AID ON INVESTIGATIONS**

**Goldman:** Now, you referenced a television interview and a desire for President Trump to put Zelensky in a public box, which you also have in quotes. Was that in your notes?

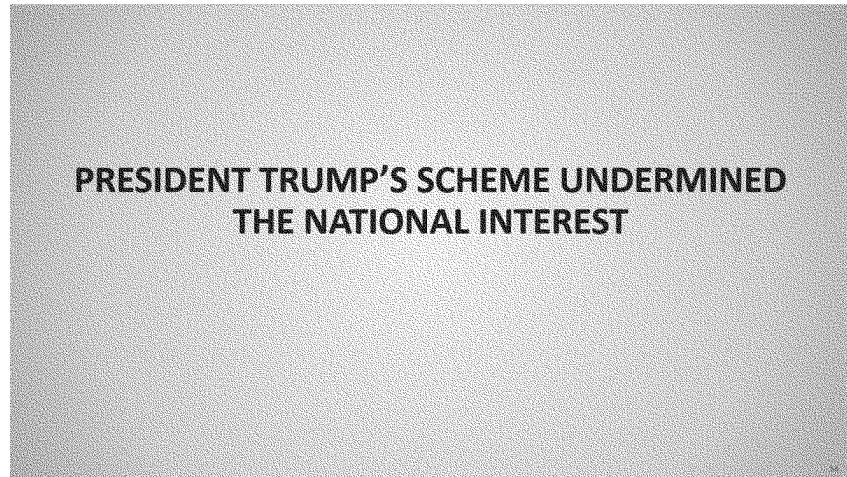
**Taylor:** It was in my notes.

**Goldman:** And what did you understand that to mean, to put Zelensky in a public box?

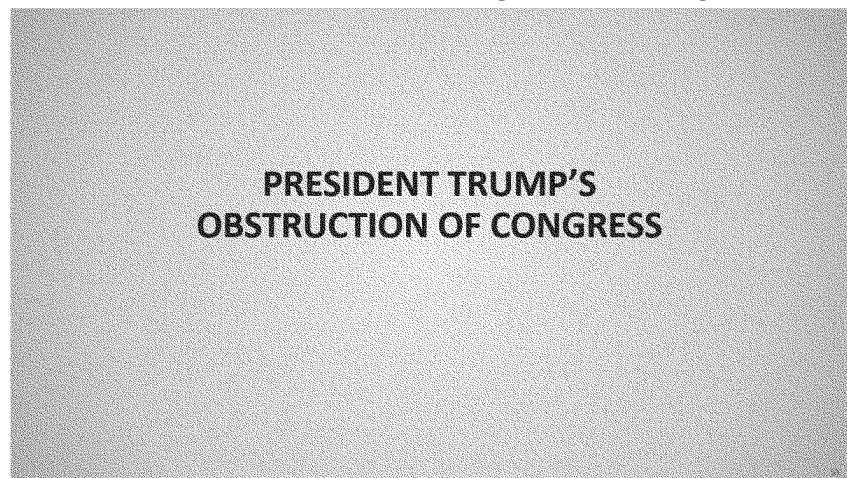
**Taylor:** I understood that to mean that President Trump, through Ambassador Sondland, was asking for President Zelensky to very publicly commit to these investigations, that it was not sufficient to do this in private, that this needed to be a very public statement.

Ambassador William Taylor/Mr. George Kent, Open Hearing, 11/13/2019

**SLIDE 161.** S. Doc. 116–18 Vol. II, Pg. 786; 166 Cong. Rec. S454



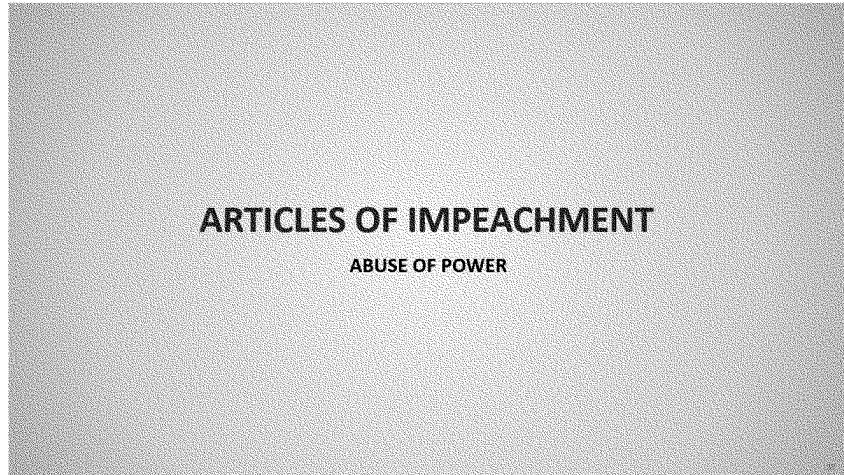
**SLIDE 162.** S. Doc. 116–18 Vol. II, Pg. 789; 166 Cong. Rec. S455



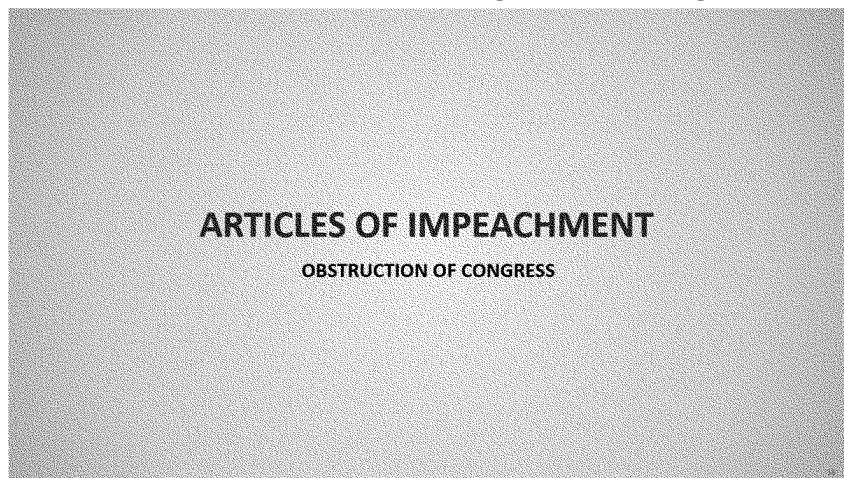
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**SLIDE 163.** S. Doc. 116–18 Vol. II, Pg. 792; 166 Cong. Rec. S456



**SLIDE 164.** S. Doc. 116–18 Vol. II, Pg. 792; 166 Cong. Rec. S457



**SLIDE 165.** S. Doc. 116–18 Vol. II, Pg. 797; 166 Cong. Rec. S458**SLIDE 166.** S. Doc. 116–18 Vol. II, Pg. 797; 166 Cong. Rec. S459

Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
04/12/19	11:05:25	0:03	OMB-Associated Phone Number	Giuliani, Rudy
04/12/19	11:05:39	12:10	"-1"	Giuliani, Rudy
04/12/19	13:13:49	0:12	Giuliani, Rudy	White House Phone Number
04/12/19	14:11:22	0:03	"-1"	Giuliani, Rudy
04/12/19	14:11:27	0:03	OMB-Associated Phone Number	Giuliani, Rudy
04/12/19	15:48:09	0:03	OMB-Associated Phone Number	Giuliani, Rudy
04/12/19	17:17:36	7:52	Sekulow, Jay	Giuliani, Rudy
04/12/19	19:56:43	5:03	Giuliani, Rudy	White House Phone Number

**SLIDE 167.** S. Doc. 116–18 Vol. II, Pg. 798/823; 166 Cong. Rec. S459/S468

**FEBRUARY 2, 2017 JOINT NEWS CONFERENCE  
PRESIDENT PUTIN AND PRIME MINISTER ORBAN**

“Second, as we all know, during the presidential campaign in the United States, the Ukrainian government adopted a unilateral position in favor of one candidate.

More than that, certain oligarchs, certainly with the approval of the political leadership, funded this candidate, or female candidate, to be more precise.”

- **President Putin**

President Putin, February 2, 2017, Joint News Conference with Prime Minister Orbán;  
<https://en.kremlin.ru/events/news/53805>.

**SLIDE 168.** S. Doc. 116–18 Vol. II, Pg. 799; 166 Cong. Rec. S459

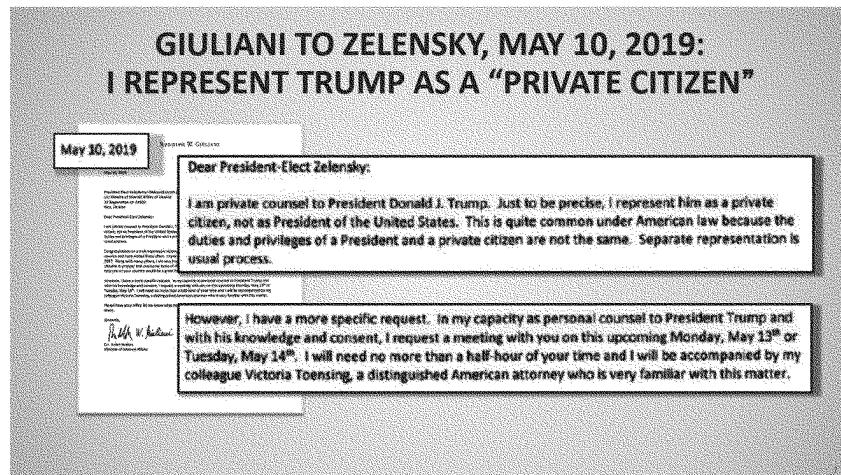
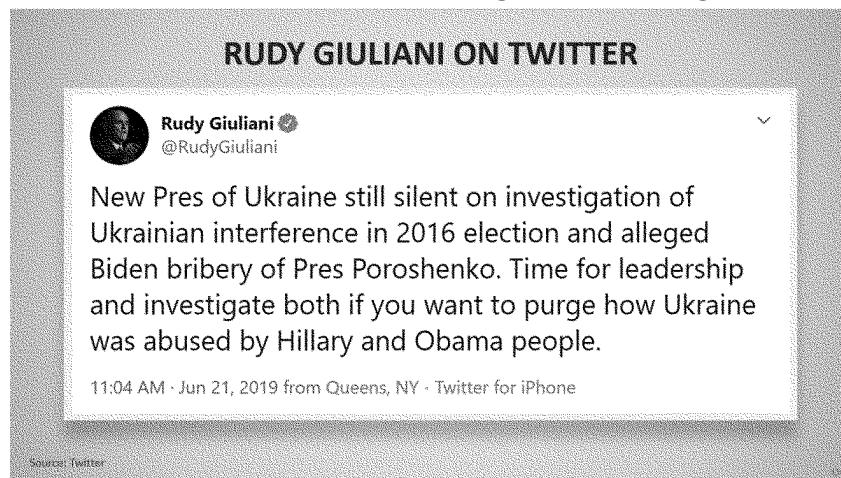
**TRUMP-ZELENSKY CALL RECORD  
APRIL 21, 2019**

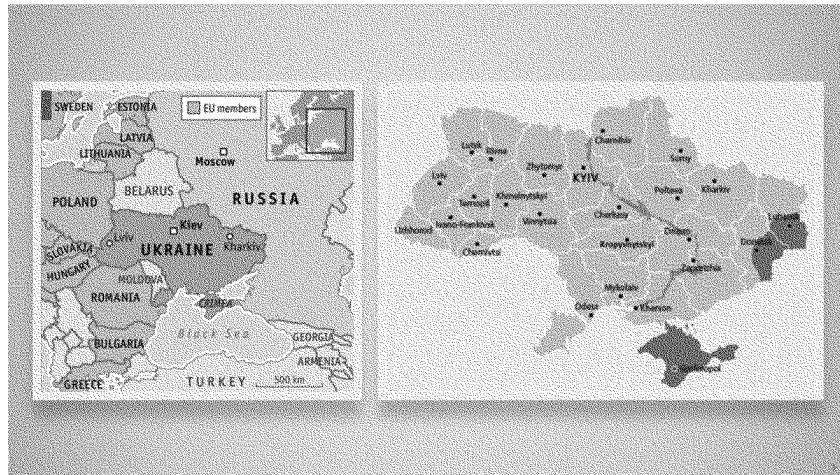
**TRUMP**

“When you’re settled in and ready, I’d like to invite you to the White House. We’ll have a lot of things to talk about, but we’re with you all the way.”

Memorandum of telephone conversation, page 4.

**SLIDE 169.** S. Doc. 116–18 Vol. II, Pg. 800; 166 Cong. Rec. S460**SLIDE 170.** S. Doc. 116–18 Vol. II, Pg. 800; 166 Cong. Rec. S460

**SLIDE 171.** S. Doc. 116–18 Vol. II, Pg. 801; 166 Cong. Rec. S460**SLIDE 172.** S. Doc. 116–18 Vol. II, Pg. 803; 166 Cong. Rec. S461

**SLIDE 173.** S. Doc. 116–18 Vol. II, Pg. 805; 166 Cong. Rec. S462**SLIDE 174.** S. Doc. 116–18 Vol. II, Pg. 805; 166 Cong. Rec. S462

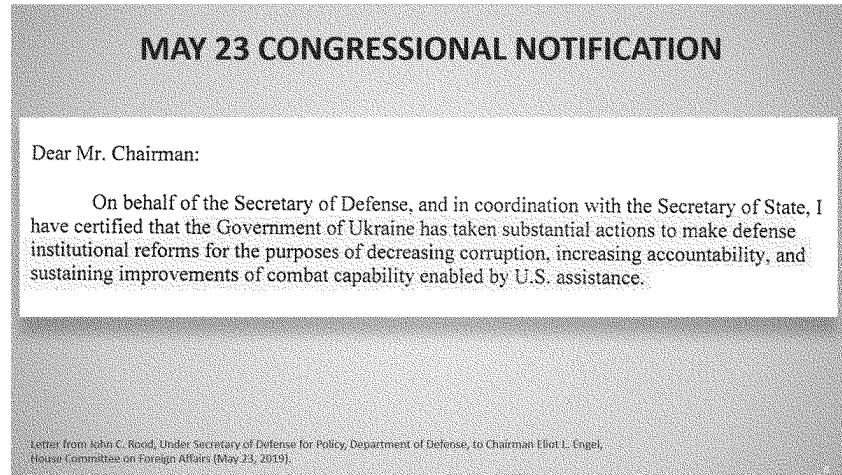
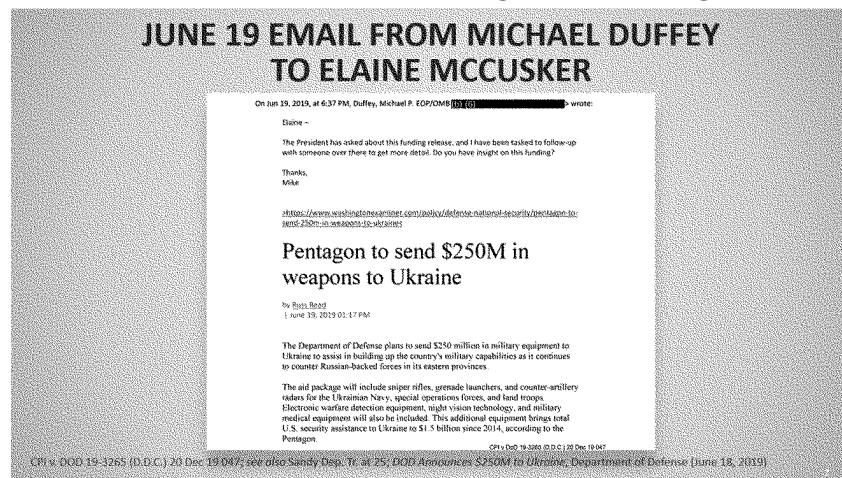
**In Kiev, Mattis says Moscow wants to redraw borders by force**

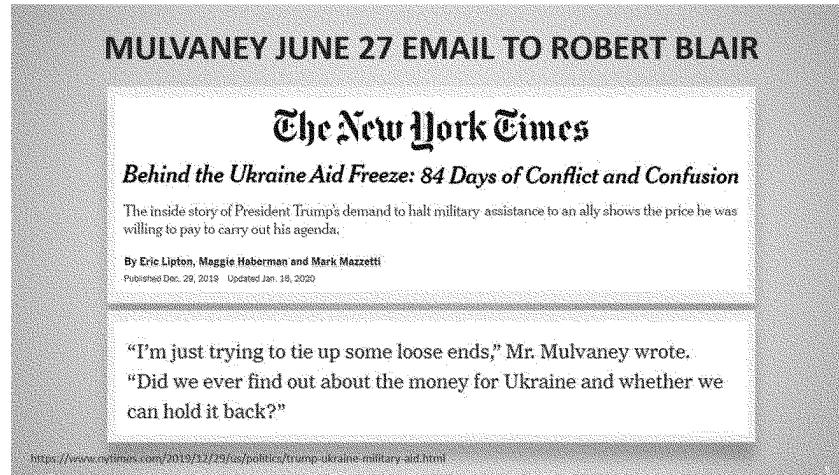
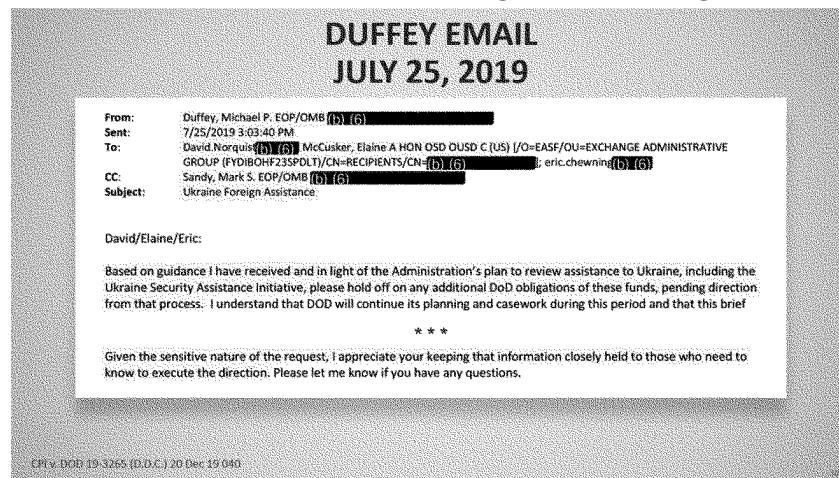
By ROBERT BURNS August 24, 2017

**JAMES MATTIS**  
Former Secretary  
of Defense

“Despite Russia’s denials, we know they are seeking to redraw international borders by force,” Mattis said, an ambition by Moscow that the secretary said is undermining sovereign European nations and stirring tension.

Burns, Robert. “In Kiev, Mattis says Moscow wants to redraw borders by force.” *The Associated Press*, August 24, 2017.

**SLIDE 175.** S. Doc. 116–18 Vol. II, Pg. 808; 166 Cong. Rec. S463**SLIDE 176.** S. Doc. 116–18 Vol. II, Pg. 809; 166 Cong. Rec. S463

**SLIDE 177.** S. Doc. 116–18 Vol. II, Pg. 809; 166 Cong. Rec. S463**SLIDE 178.** S. Doc. 116–18 Vol. II, Pg. 811; 166 Cong. Rec. S464

**SLIDE 179.** S. Doc. 116–18 Vol. II, Pg. 813; 166 Cong. Rec. S465**CROFT TESTIFIED UKRAINIAN OFFICIALS WOULD NOT WANT THE HOLD TO BE PUBLIC****Catherine Croft Deposition**

"I think that if this were public in Ukraine it would be seen as a reversal of our policy and would, just to say sort of candidly and colloquially, this would be a really big deal, it would be a really big deal in Ukraine, and an expression of declining U.S. support for Ukraine."

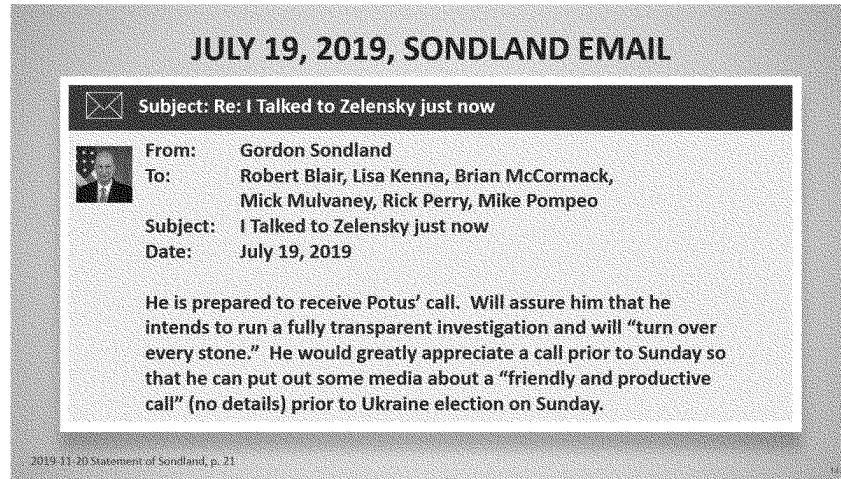
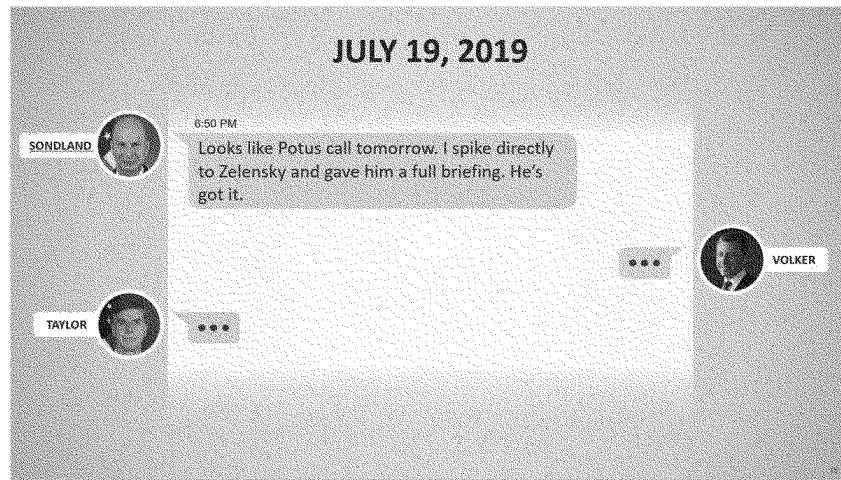
Croft Dep. Tr. at 67-68

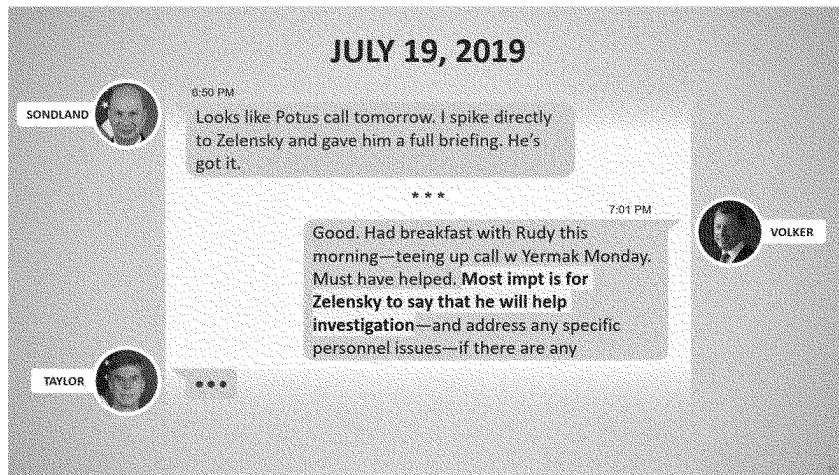
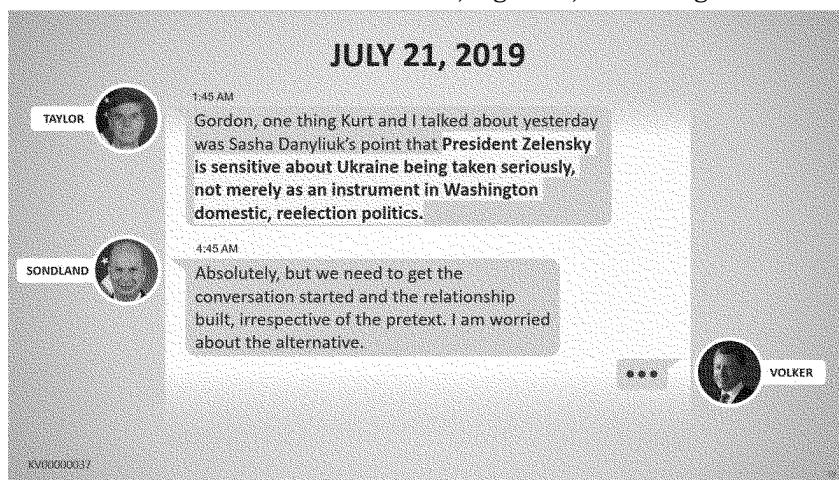
**SLIDE 180.** S. Doc. 116–18 Vol. II, Pg. 816; 166 Cong. Rec. S466**JULY 10, 2019**

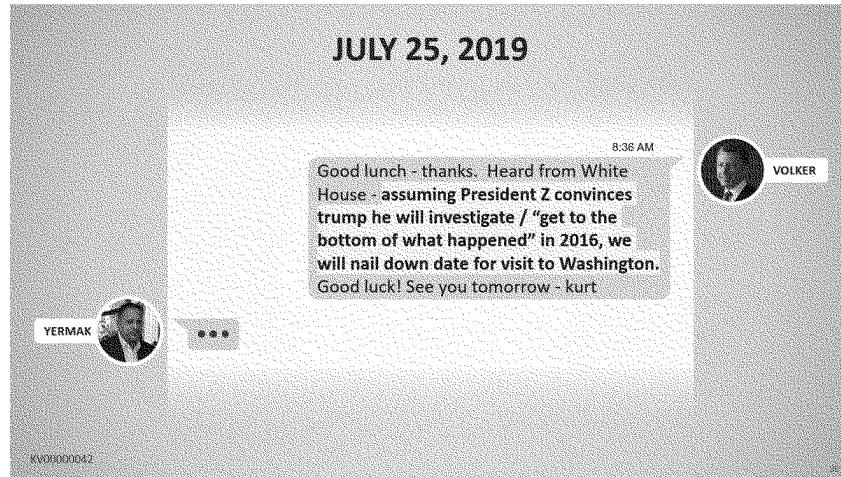
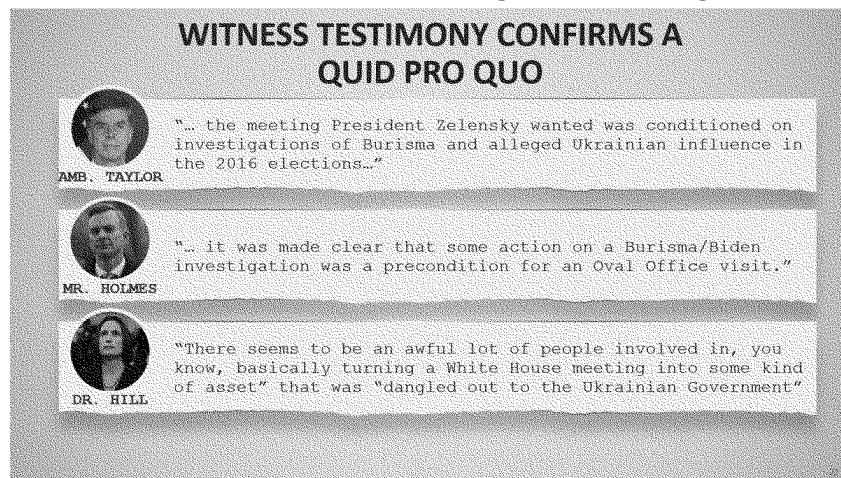
YERMAK

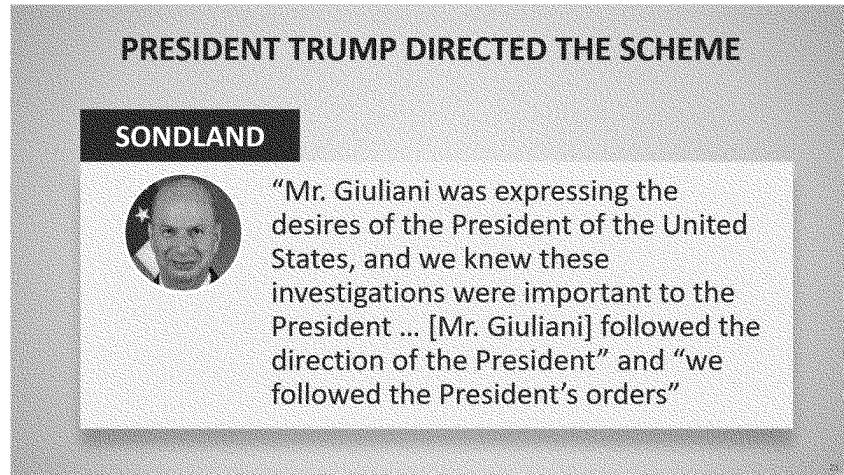
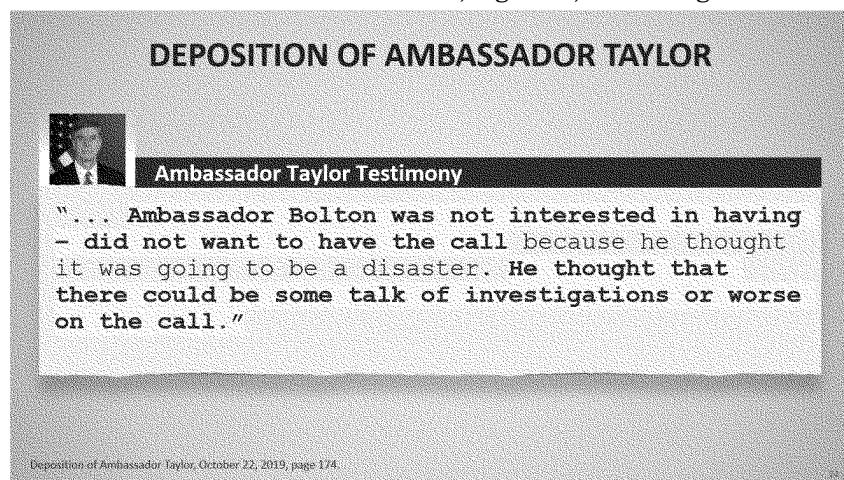
Thank you for the meeting and your clear and very logical position. Will be great meet with you before my departure and discuss. I feel that the key for many things is Rudi and I ready to talk with him at any time. Please, let me know when you can meet. Andrey.

VOLKER

**SLIDE 181.** S. Doc. 116–18 Vol. II, Pg. 818; 166 Cong. Rec. S466**SLIDE 182.** S. Doc. 116–18 Vol. II, Pg. 819; 166 Cong. Rec. S467

**SLIDE 183.** S. Doc. 116–18 Vol. II, Pg. 819; 166 Cong. Rec. S467**SLIDE 184.** S. Doc. 116–18 Vol. II, Pg. 819; 166 Cong. Rec. S467

**SLIDE 185.** S. Doc. 116–18 Vol. II, Pg. 819; 166 Cong. Rec. S467**SLIDE 186.** S. Doc. 116–18 Vol. II, Pg. 820; 166 Cong. Rec. S467

**SLIDE 187.** S. Doc. 116–18 Vol. II, Pg. 820; 166 Cong. Rec. S467**SLIDE 188.** S. Doc. 116–18 Vol. II, Pg. 820; 166 Cong. Rec. S467

**SLIDE 189.** S. Doc. 116–18 Vol. II, Pg. 821; 166 Cong. Rec. S468



**SLIDE 190.** S. Doc. 116–18 Vol. II, Pg. 822; 166 Cong. Rec. S468

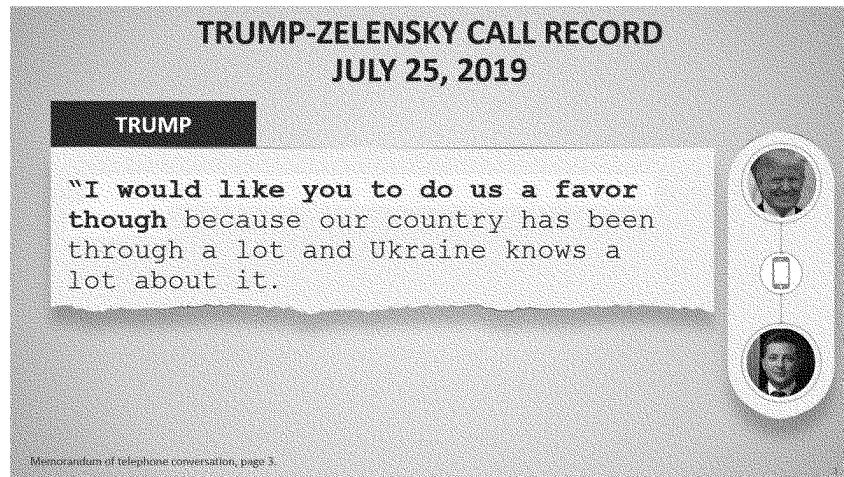
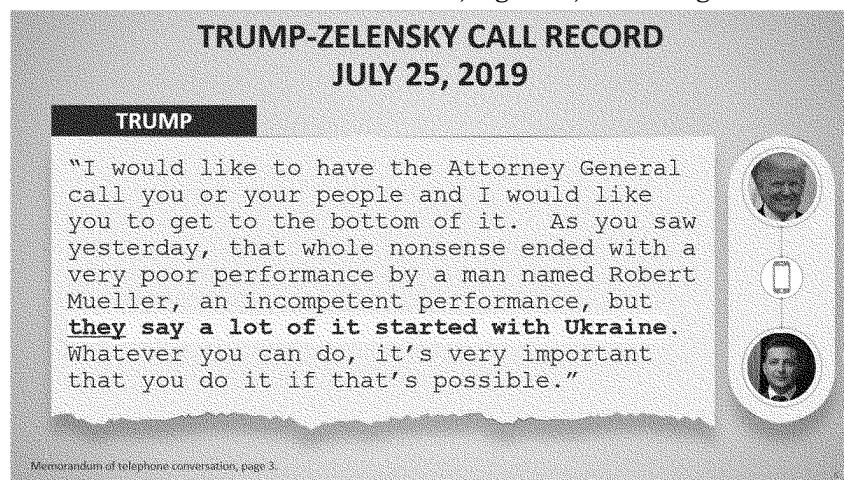
TRUMP-ZELENSKY CALL RECORD  
JULY 25, 2019

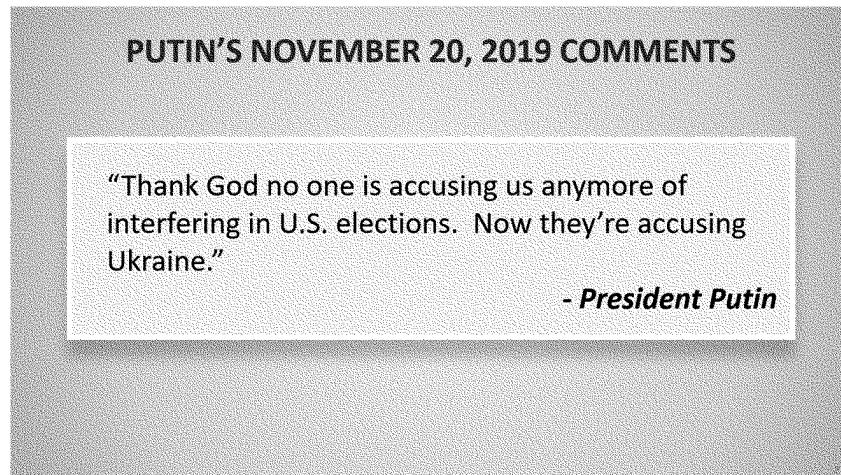
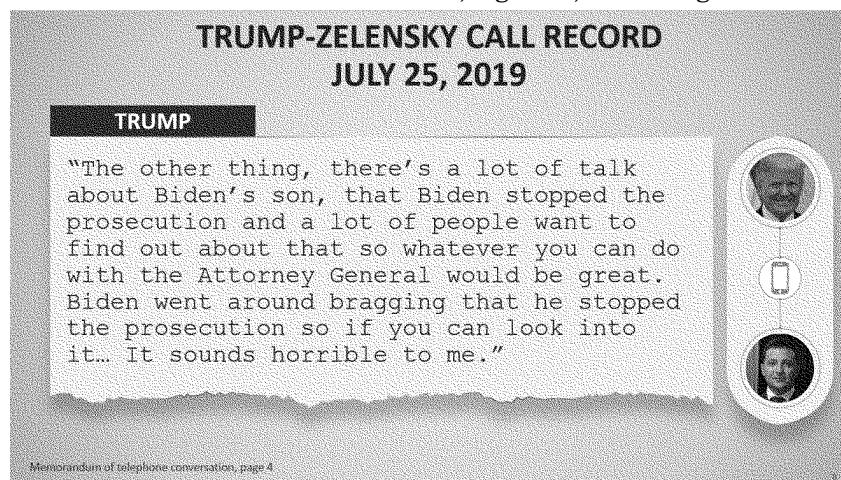
**ZELENSKY**

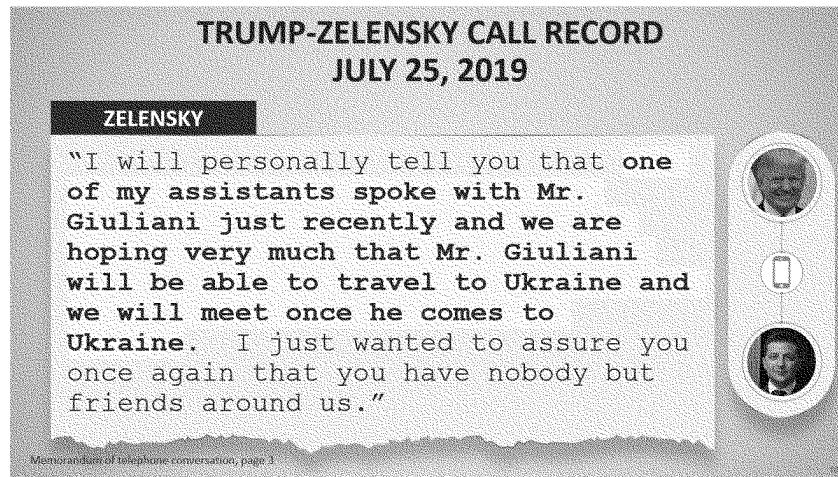
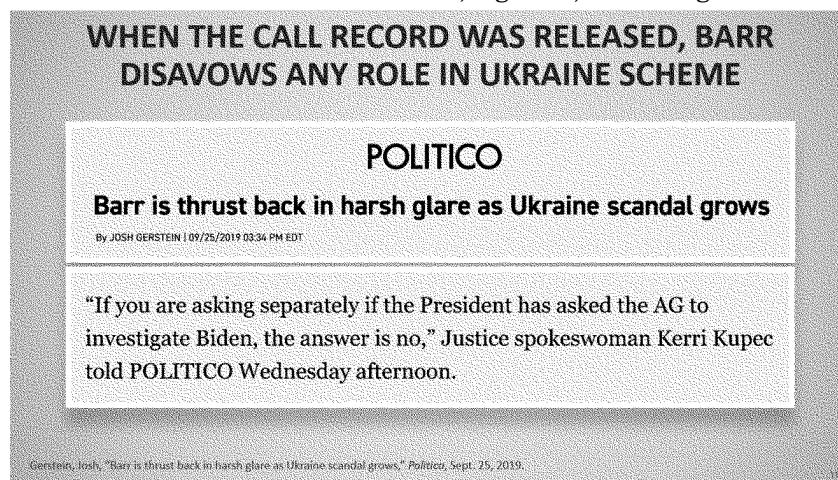
"I would also like to thank you for your great support in the area of defense. We are ready to continue to cooperate for the next steps specifically we are almost ready to buy more Javelins from the United States for defense purposes."

Memorandum of telephone conversation, page 2.

The slide shows a call record for the Trump-Zelensky conversation on July 25, 2019. It features a dark background with white text. On the right side, there are three circular icons: a portrait of Donald Trump at the top, a smartphone icon in the middle, and a portrait of Volodymyr Zelensky at the bottom. A speech bubble on the left contains a transcript of their conversation, starting with Zelensky thanking Trump for his support in the area of defense and expressing readiness to buy more Javelins from the United States. At the bottom, a small note indicates this is page 2 of a memorandum of the telephone conversation.

**SLIDE 191.** S. Doc. 116–18 Vol. II, Pg. 822; 166 Cong. Rec. S468**SLIDE 192.** S. Doc. 116–18 Vol. II, Pg. 822; 166 Cong. Rec. S468

**SLIDE 193.** S. Doc. 116–18 Vol. II, Pg. 823; 166 Cong. Rec. S468**SLIDE 194.** S. Doc. 116–18 Vol. II, Pg. 823; 166 Cong. Rec. S469

**SLIDE 195.** S. Doc. 116–18 Vol. II, Pg. 824; 166 Cong. Rec. S469**SLIDE 196.** S. Doc. 116–18 Vol. II, Pg. 825; 166 Cong. Rec. S469

**SLIDE 197.** S. Doc. 116–18 Vol. II, Pg. 825; 166 Cong. Rec. S469

**TRUMP-ZELENSKY CALL RECORD**  
**JULY 25, 2019**

**TRUMP**

"The former ambassador from the United States, the woman, was bad news and the people she was dealing with in the Ukraine were bad news so I just want to let you know that."

**TRUMP**

"Well, she's going to go through some things."

Memorandum of telephone conversation, page 4.

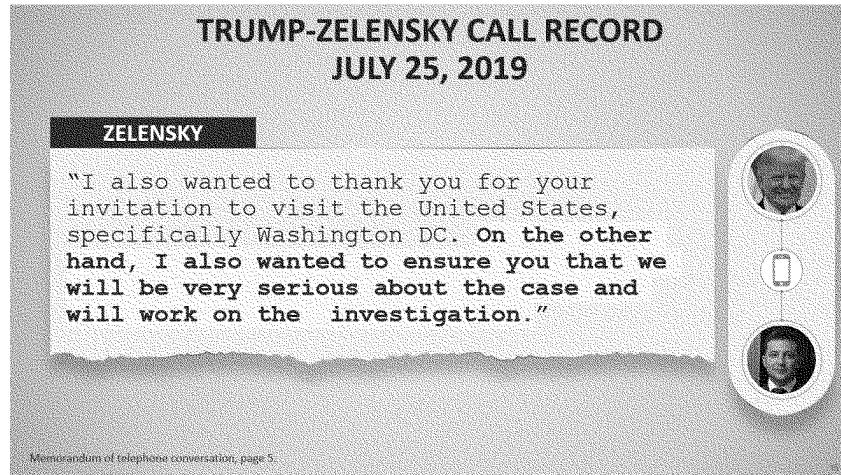
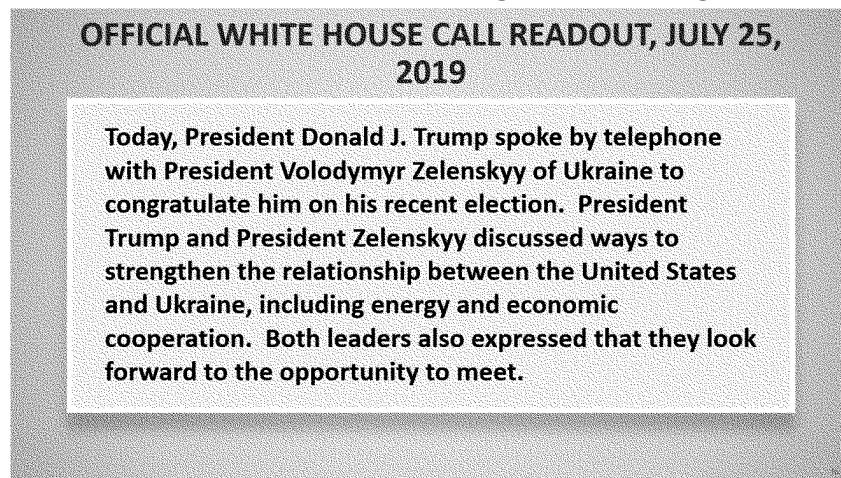
**SLIDE 198.** S. Doc. 116–18 Vol. II, Pg. 826; 166 Cong. Rec. S469

**TRUMP-ZELENSKY CALL RECORD**  
**JULY 25, 2019**

**TRUMP**

"Good because I heard you had a prosecutor who was very good and he was shut down and that's really unfair. A lot of people are talking about that, the way they shut your very good prosecutor down and you had some very bad people involved."

Memorandum of telephone conversation, page 3.

**SLIDE 199.** S. Doc. 116–18 Vol. II, Pg. 826; 166 Cong. Rec. S470**SLIDE 200.** S. Doc. 116–18 Vol. II, Pg. 826; 166 Cong. Rec. S470

**SLIDE 201.** S. Doc. 116–18 Vol. II, Pg. 827; 166 Cong. Rec. S470

**TESTIMONY OF MS. WILLIAMS**

**Jennifer Williams Deposition**

Q: Okay. During the July 25 call, did you have any concerns about the conversation that you heard between President Trump and President Zelensky?

A: I certainly noted that the mention of these specific investigations seemed unusual as compared to other discussions with foreign leaders.

Q: And why were they unusual?

A: I believed those references to be more political in nature and so that struck me as unusual.

A: I guess for me it shed some light on possible other motivations behind a security assistance hold.

Williams Dep. Tr. at 129, 149

**SLIDE 202.** S. Doc. 116–18 Vol. II, Pg. 830/830; 166 Cong. Rec. S471/S471

**JULY 26, 2019**

6:55 AM

Hi Mr Mayor – you may have heard—the President has a great phone call with the Ukrainian President yesterday. Exactly the right messages as we discussed.

Please send dates when you will be in Madrid. I am seeing Yermak tomorrow morning. He will come to you in Madrid. Thanks for your help! Kurt

**GUILIANI**

I will arrive on Aug 1 and until 5  
Thank you

Volker texts

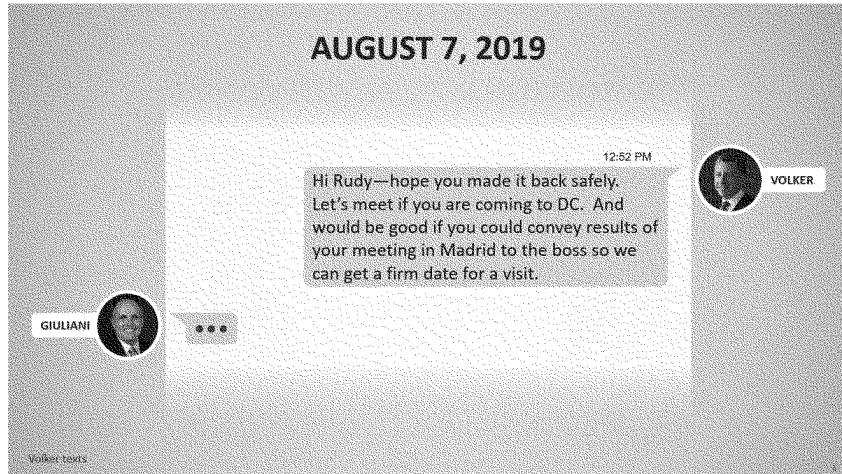


VOLKER

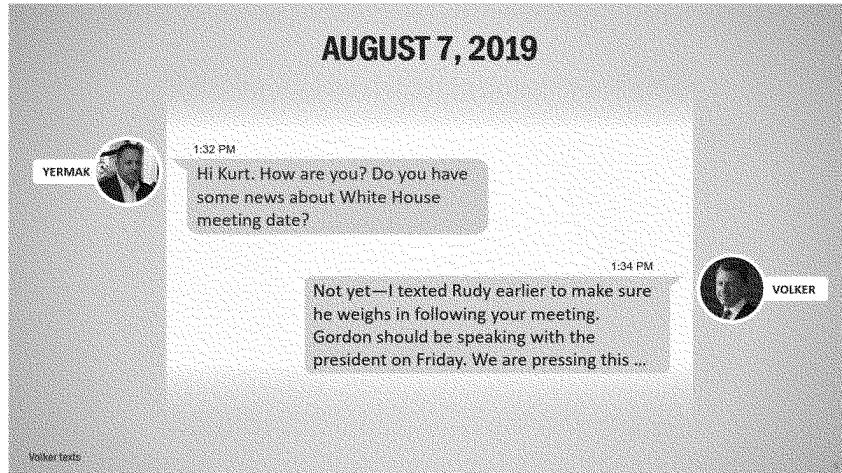
JANUARY 22, 2020

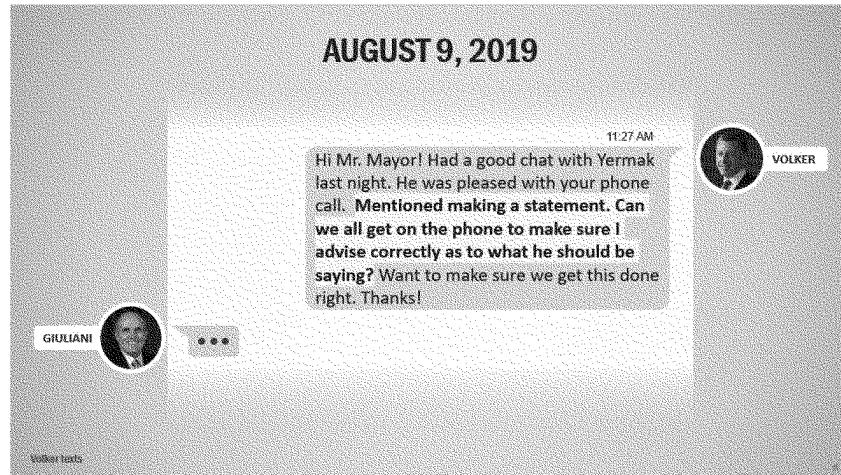
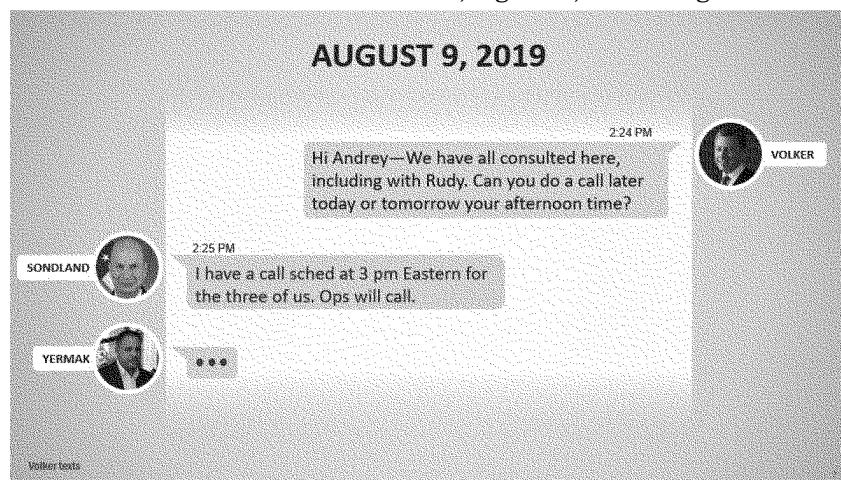
1679

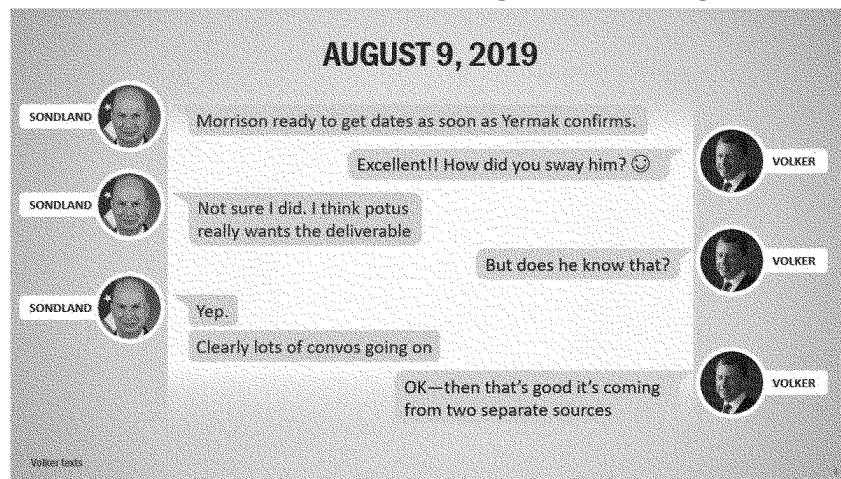
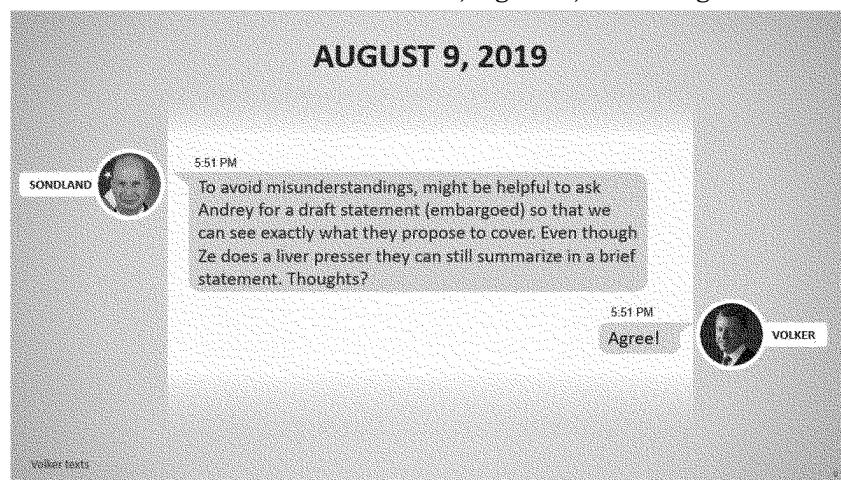
**SLIDE 203.** S. Doc. 116–18 Vol. II, Pg. 832/832; 166 Cong. Rec. S472/S472



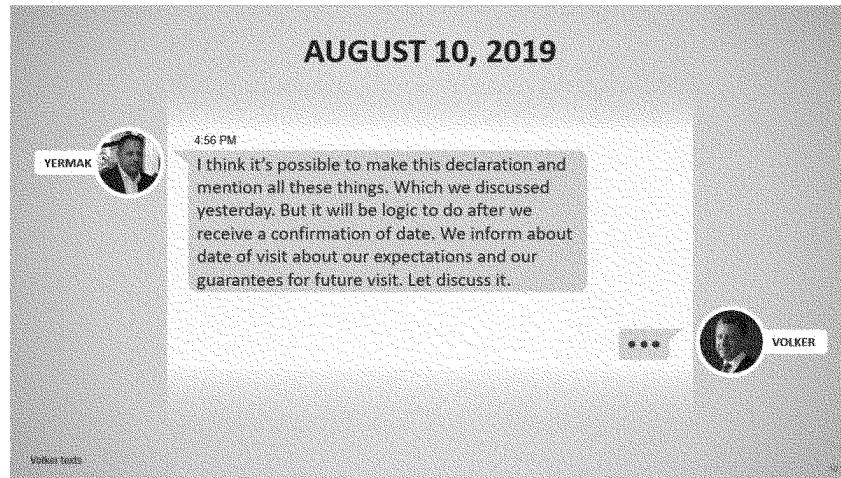
**SLIDE 204.** S. Doc. 116–18 Vol. II, Pg. 832; 166 Cong. Rec. S472



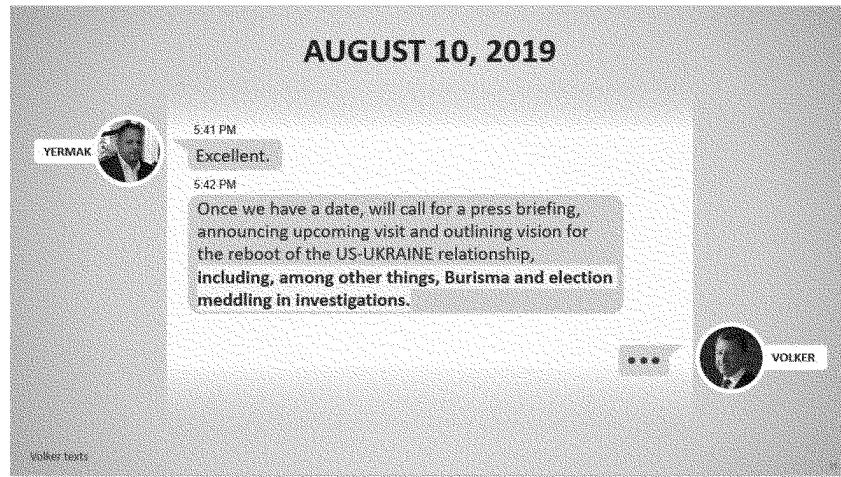
**SLIDE 205.** S. Doc. 116–18 Vol. II, Pg. 833; 166 Cong. Rec. S472**SLIDE 206.** S. Doc. 116–18 Vol. II, Pg. 833; 166 Cong. Rec. S472

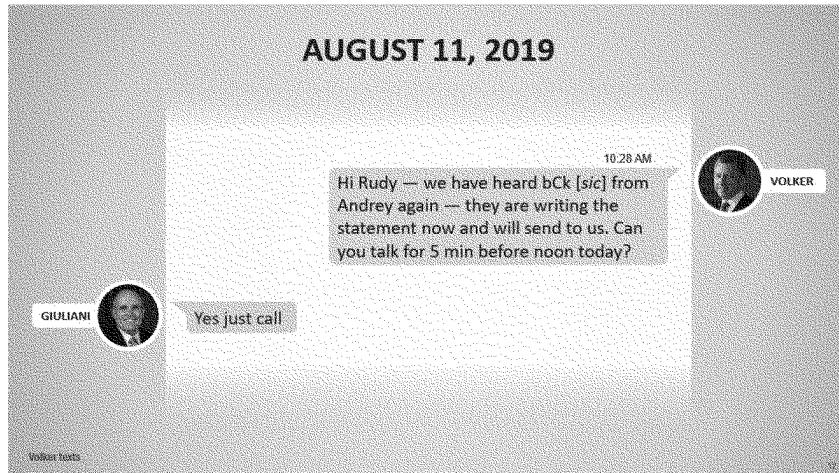
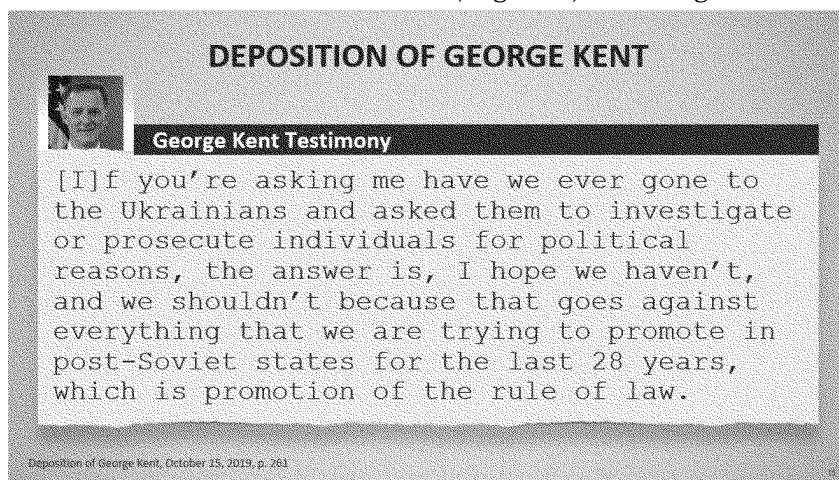
**SLIDE 207.** S. Doc. 116–18 Vol. II, Pg. 834; 166 Cong. Rec. S472**SLIDE 208.** S. Doc. 116–18 Vol. II, Pg. 834; 166 Cong. Rec. S473

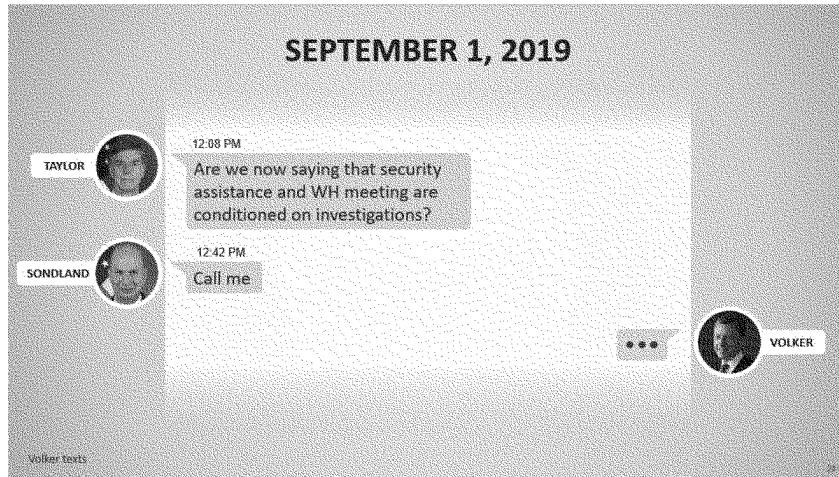
**SLIDE 209.** S. Doc. 116–18 Vol. II, Pg. 835/835; 166 Cong. Rec. S473/S473

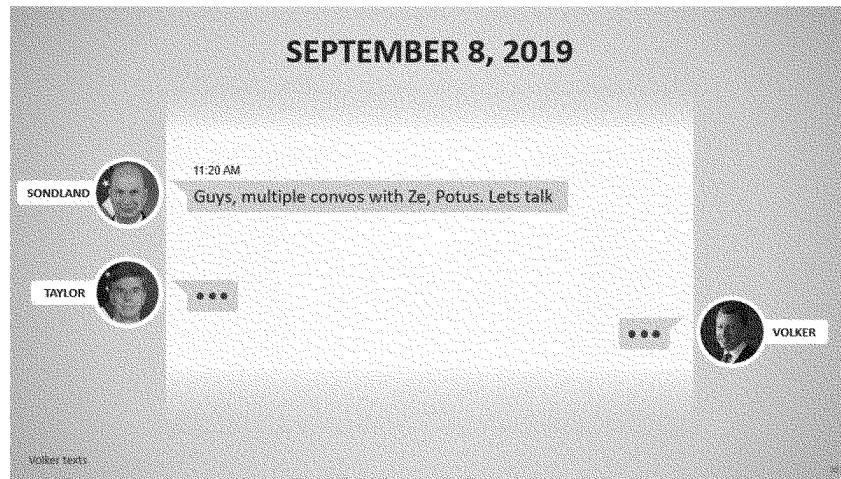
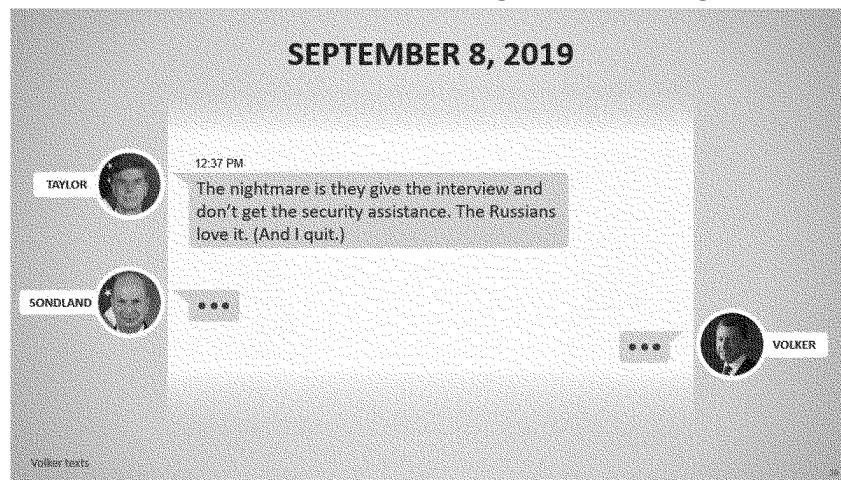


**SLIDE 210.** S. Doc. 116–18 Vol. II, Pg. 835; 166 Cong. Rec. S473



**SLIDE 211.** S. Doc. 116–18 Vol. II, Pg. 836; 166 Cong. Rec. S473**SLIDE 212.** S. Doc. 116–18 Vol. II, Pg. 837; 166 Cong. Rec. S474

**SLIDE 213.** S. Doc. 116–18 Vol. II, Pg. 846; 166 Cong. Rec. S477**SLIDE 214.** S. Doc. 116–18 Vol. II, Pg. 847; 166 Cong. Rec. S478

**SLIDE 215.** S. Doc. 116–18 Vol. II, Pg. 849; 166 Cong. Rec. S478**SLIDE 216.** S. Doc. 116–18 Vol. II, Pg. 850; 166 Cong. Rec. S479

**SLIDE 217.** S. Doc. 116–18 Vol. II, Pg. 850; 166 Cong. Rec. S479

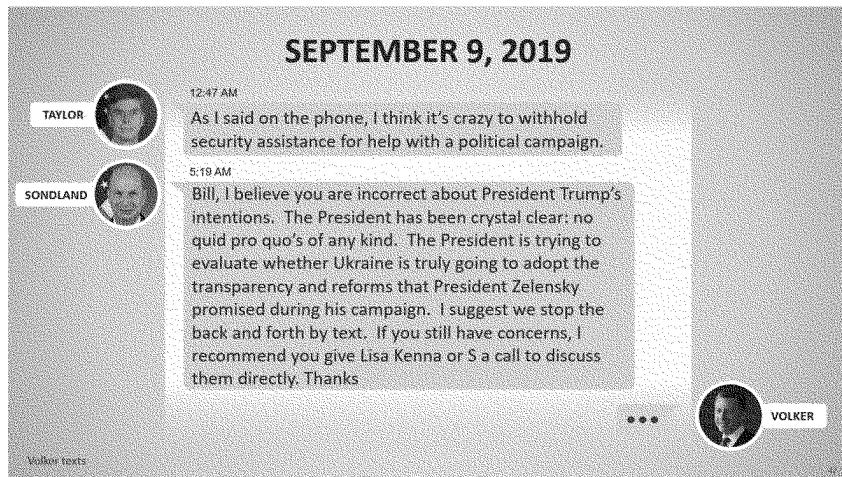
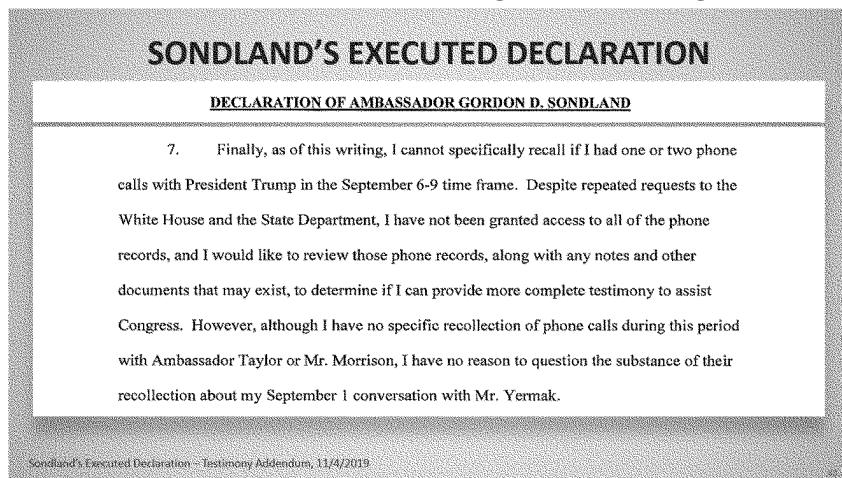
The screenshot shows a deposition transcript titled "DEPOSITION OF TAYLOR". At the top left is a small portrait of Mark Sandy. Below it, a black bar contains the text "Ambassador Taylor Testimony". The main text area contains a quote from Mark Sandy: "'The nightmare' is the scenario where President Zelensky goes out in public, makes an announcement that he's going to investigate Burisma and the ... interference in 2016 election, maybe among other things. He might put that in some series of investigations. But ... the nightmare was he would mention those two, take all the heat from that, get himself in big trouble in this country and probably in his country as well, and the security assistance would not be released. That was the nightmare.'" At the bottom of the transcript, a small note reads "Deposition of Mark Sandy, October 22, 2019, p. 209".

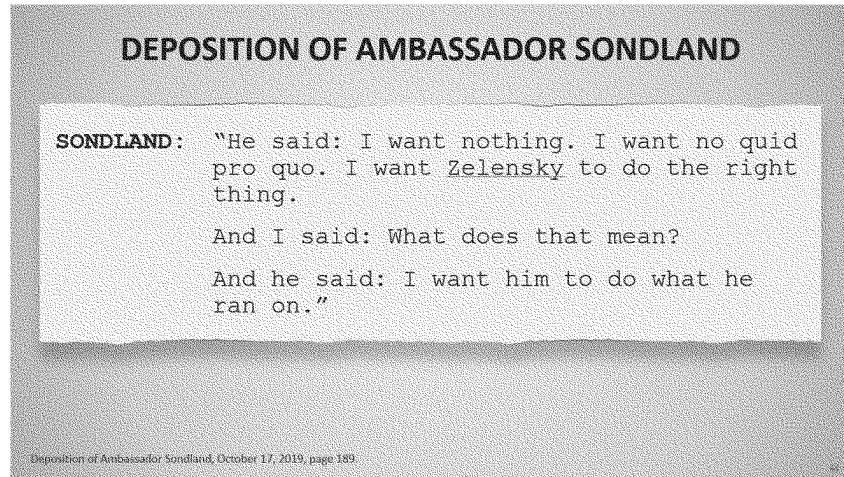
**SLIDE 218.** S. Doc. 116–18 Vol. II, Pg. 851; 166 Cong. Rec. S479

The screenshot shows a text message exchange dated September 9, 2019. The messages are timestamped at 12:31 AM, 12:34 AM, and 12:47 AM. The participants are represented by circular icons: TAYLOR, SONLAND, and VOLKER. The messages are as follows:

- 12:31 AM: TAYLOR - The message to the Ukrainians (and Russians) we send with the decision on security assistance is key. With the hold, we have already shaken their faith in us. Thus my nightmare scenario.
- 12:34 AM: Counting on you to be right about this interview, Gordon.
- 12:47 AM: SONLAND - Bill, I never said I was "right". I said we are where we are and believe we have identified the best pathway forward. Lets hope it works.
- 12:47 AM: TAYLOR - As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign.

At the bottom right, there is a small icon of VOLKER with three dots above it, followed by the text "VOLKER".

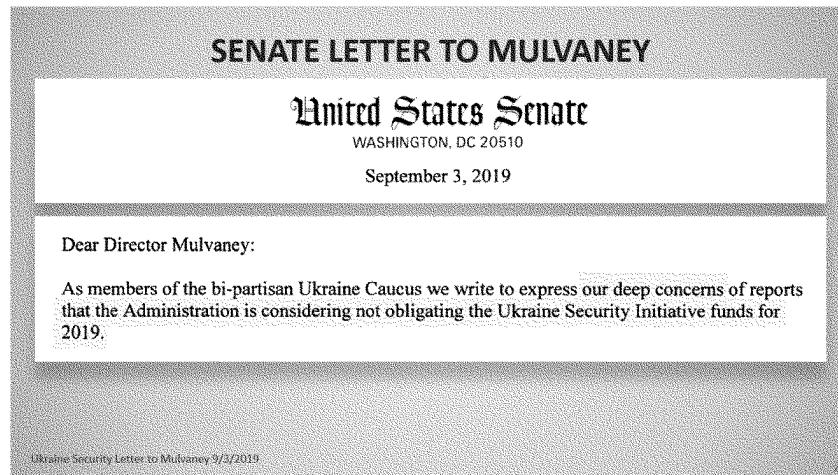
**SLIDE 219.** S. Doc. 116–18 Vol. II, Pg. 851; 166 Cong. Rec. S479**SLIDE 220.** S. Doc. 116–18 Vol. II, Pg. 852; 166 Cong. Rec. S479

**SLIDE 221.** S. Doc. 116–18 Vol. II, Pg. 852; 166 Cong. Rec. S479**SLIDE 222.** S. Doc. 116–18 Vol. II, Pg. 853; 166 Cong. Rec. S480

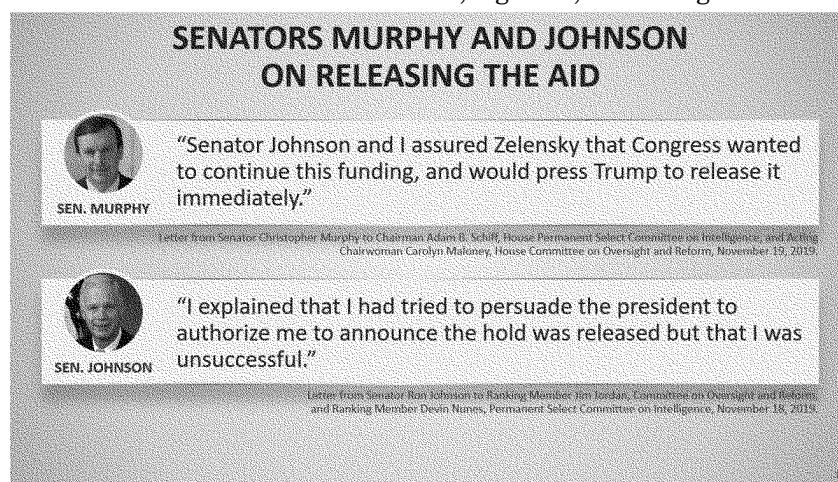
JANUARY 22, 2020

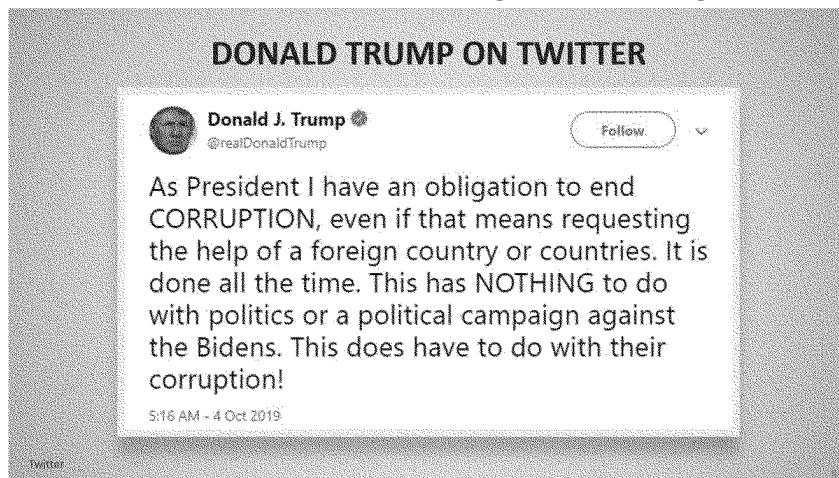
1689

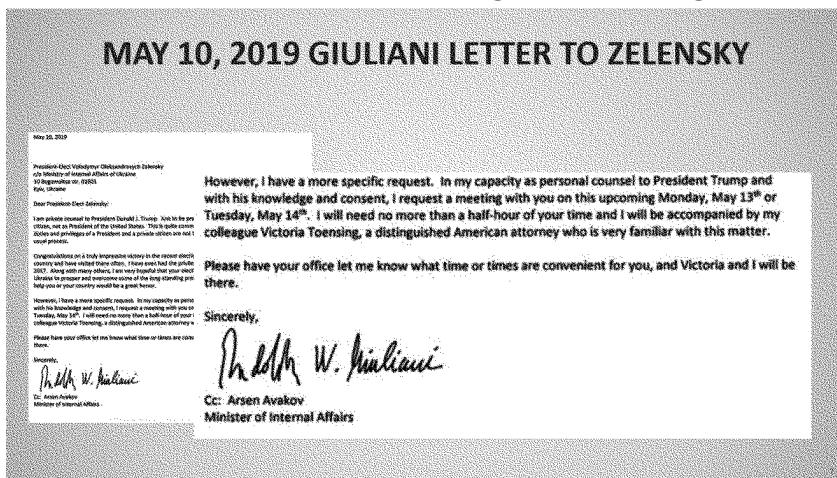
**SLIDE 223.** S. Doc. 116–18 Vol. II, Pg. 854; 166 Cong. Rec. S480



**SLIDE 224.** S. Doc. 116–18 Vol. II, Pg. 854; 166 Cong. Rec. S480



**SLIDE 225.** S. Doc. 116–18 Vol. II, Pg. 857; 166 Cong. Rec. S481**SLIDE 226.** S. Doc. 116–18 Vol. II, Pg. 861; 166 Cong. Rec. S483

**SLIDE 227.** S. Doc. 116–18 Vol. II, Pg. 861; 166 Cong. Rec. S483**SLIDE 228.** S. Doc. 116–18 Vol. II, Pg. 862; 166 Cong. Rec. S483



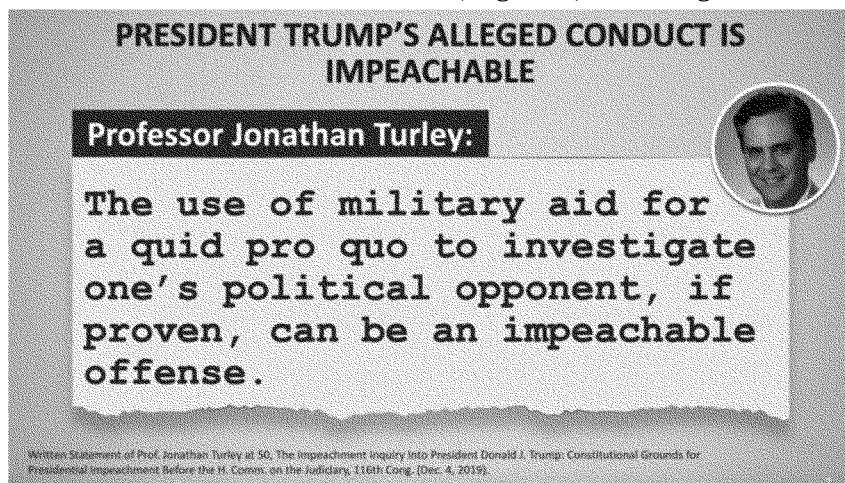
SLIDES 229–378

[166 CONG. REC. S488–527 (DAILY ED. JAN. 23, 2020)]

**SLIDE 229.** S. Doc. 116–18 Vol. II, Pg. 870/871; 166 Cong. Rec. S488/S488



**SLIDE 230.** S. Doc. 116–18 Vol. II, Pg. 871; 166 Cong. Rec. S488



**SLIDE 231.** S. Doc. 116–18 Vol. II, Pg. 871; 166 Cong. Rec. S488

### PRESENTATION OF EVIDENCE

- ▶ Constitutional Standards
- ▶ President Trump's Abuse Of Power
  - Directly Solicited Foreign Interference
  - Used Personal Lawyer For Scheme
  - Conditioned Official Oval Office Meeting On Political Investigations
  - Froze Critical Military Aid To Pressure Ukraine To Announce Political Investigations
- ▶ President Trump's Obstruction of Congress
  - Attempted To Cover-Up Misconduct
- ▶ President Trump's Scheme Is Ongoing

**SLIDE 232.** S. Doc. 116–18 Vol. II, Pg. 872; 166 Cong. Rec. S488

### THE ABCs OF "HIGH CRIMES AND MISDEMEANORS"

- A** Abuse of Power
- B** Betrayal of the Nation, Particularly Through Foreign Entanglements
- C** Corruption, Particularly Corruption of Elections

**SLIDE 233.** S. Doc. 116–18 Vol. II, Pg. 873; 166 Cong. Rec. S489

**ALEXANDER HAMILTON'S LETTER  
TO GEORGE WASHINGTON, 1792**



"When a man unprincipled in private life[,] desperate in his fortune, bold in his temper . . . known to have scoffed in private at the principles of liberty — when such a man is seen to mount the hobby horse of popularity — to join in the cry of danger to liberty — to take every opportunity of embarrassing the General Government & bringing it under suspicion — to flatter and fall in with all the non sense [sic] of the zealots of the day — It may justly be suspected that his object is to throw things into confusion that he may ride the storm and direct the whirlwind."

Alexander Hamilton, "Opinions and Answers respecting the Administration of the Government," August 18, 1792.

**SLIDE 234.** S. Doc. 116–18 Vol. II, Pg. 874; 166 Cong. Rec. S489

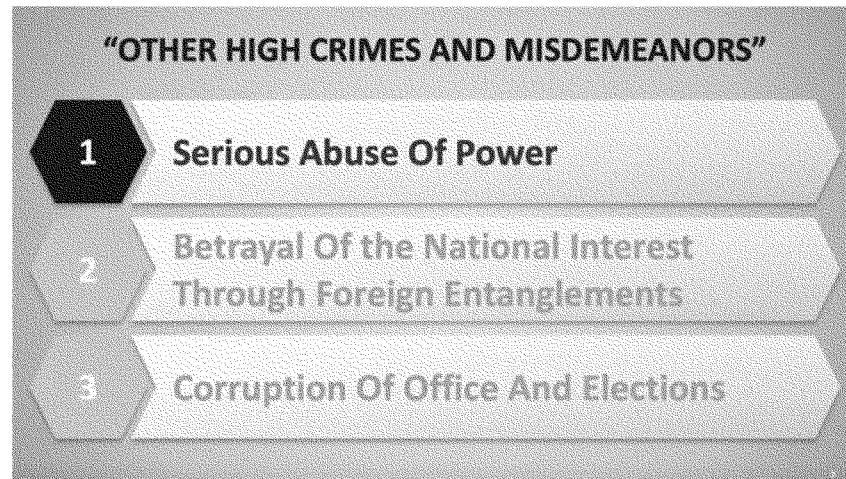
**ARTICLE II, SECTION IV:  
THE IMPEACHMENT CLAUSE**



**United States Constitution**

**"The President...shall be removed from Office on Impeachment for, and Conviction of...other high Crimes and Misdemeanors."**

SLIDE 235. S. Doc. 116–18 Vol. II, Pg. 874; 166 Cong. Rec. S489



SLIDE 236. S. Doc. 116–18 Vol. II, Pg. 875; 166 Cong. Rec. S490



**SLIDE 237.** S. Doc. 116–18 Vol. II, Pg. 875; 166 Cong. Rec. S490

**IMPEACHABLE ABUSES OF POWER:  
CATEGORY 1**

**Forbidden Acts**

**The exercise of official power in a way that, on its very face, grossly exceeds the President's constitutional authority or violates legal limits on that authority.**

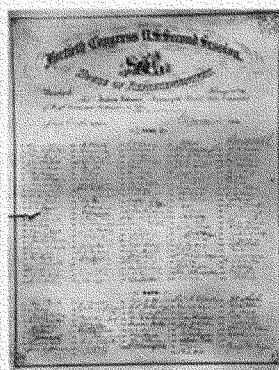
**When a President wields executive power in ways that usurp and destroy the prerogatives of Congress or the Judiciary, he exceeds the scope of his constitutional authority and violates limits on permissible conduct. Such abuses of power are therefore impeachable.**

**SLIDE 238.** S. Doc. 116–18 Vol. II, Pg. 875; 166 Cong. Rec. S490

**CATEGORY 1 IMPEACHABLE ABUSES OF POWER  
PRESIDENTIAL PRECEDENT**



**PRESIDENT  
ANDREW JOHNSON**



Signed Resolution to impeach President Johnson, adopted February 24, 1868

**SLIDE 239.** S. Doc. 116–18 Vol. II, Pg. 876; 166 Cong. Rec. S490

### **IMPEACHABLE ABUSES OF POWER: CATEGORY 2**

#### **Corrupt Motives**

**The exercise of official power to obtain an  
improper personal benefit, while ignoring or  
injuring the national interest.**

**SLIDE 240.** S. Doc. 116–18 Vol. II, Pg. 876; 166 Cong. Rec. S490

### **THE ELEMENTS OF IMPEACHABLE ABUSE OF POWER**



**A President commits the “High Crime and  
Misdemeanor” of abuse of power where he:**

- 1. Exercises official power**
- 2. Corruptly to obtain a personal benefit**
- 3. While ignoring or injuring the national  
interest**

**SLIDE 241.** S. Doc. 116–18 Vol. II, Pg. 877; 166 Cong. Rec. S490

**PRESIDENT TRUMP'S ALLEGED CONDUCT IS IMPEACHABLE**

**Professor Jonathan Turley:**

**As I have stressed, it is possible to establish a case for impeachment based on a non-criminal allegation of abuse of power**

Written Statement of Prof. Jonathan Turley at 24; The Impeachment Inquiry into President Donald J. Trump: Constitutional Grounds for Presidential Impeachment Before the H. Comm. on the Judiciary, 116th Cong. [Dec. 4, 2019].

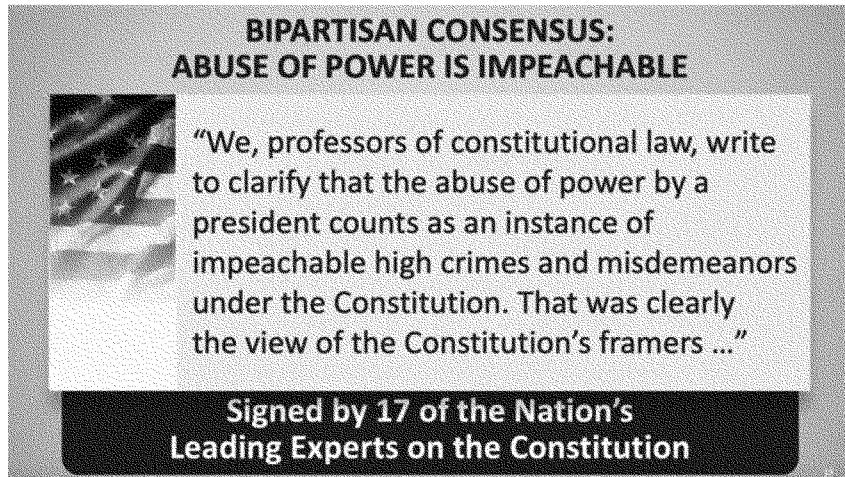
**SLIDE 242.** S. Doc. 116–18 Vol. II, Pg. 877; 166 Cong. Rec. S490

**WILLIAM P. BARR ON ABUSE OF POWER**

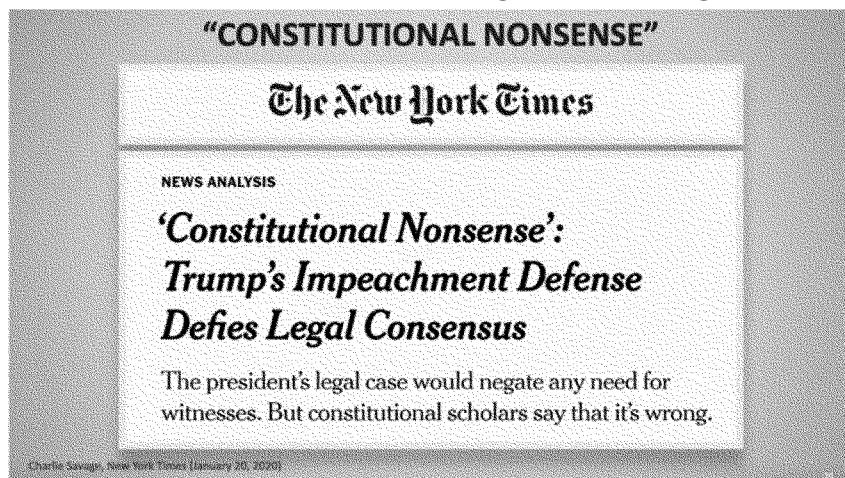
The fact that President is answerable for any abuses of discretion and is ultimately subject to the judgment of Congress through the impeachment process means that the President is *not* the judge in his own cause. *See Nixon v. Harlow*, 457 U.S. 731, 757-58 n.41 (1982) (“The remedy of impeachment demonstrates that the President remains accountable under law for his misdeeds in office.”)

~ Memo by Bill Barr (June 8, 2018)

SLIDE 243. S. Doc. 116–18 Vol. II, Pg. 878; 166 Cong. Rec. S491



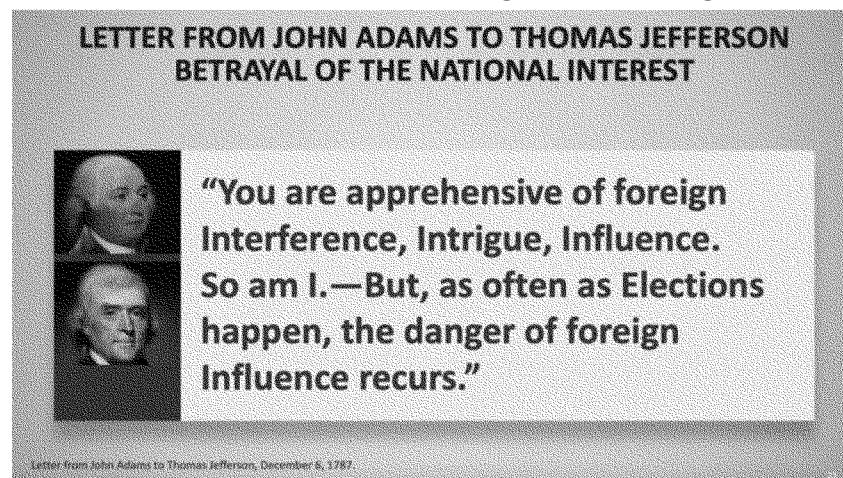
SLIDE 244. S. Doc. 116–18 Vol. II, Pg. 878; 166 Cong. Rec. S491



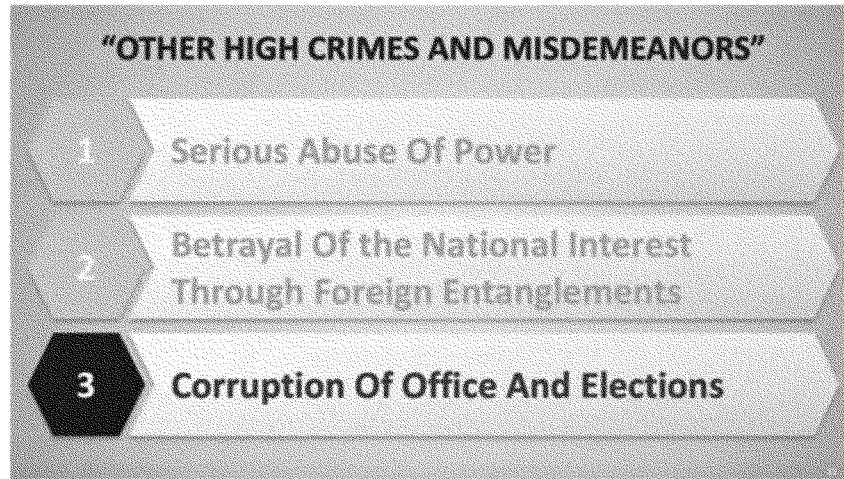
**SLIDE 245.** S. Doc. 116–18 Vol. II, Pg. 878; 166 Cong. Rec. S491



**SLIDE 246.** S. Doc. 116–18 Vol. II, Pg. 878; 166 Cong. Rec. S491



**SLIDE 247.** S. Doc. 116–18 Vol. II, Pg. 879; 166 Cong. Rec. S491



**SLIDE 248.** S. Doc. 116–18 Vol. II, Pg. 881; 166 Cong. Rec. S492

**THE CRIMINALITY ISSUE**

**Professor Jonathan Turley:**

"As I have stressed, it is possible to establish a case for impeachment based on a non-criminal allegation of abuse of power."

"[I]t is clear that 'high crimes and misdemeanors' can encompass non-criminal conduct."

"[I]mpeachment does encompass non-crimes, including abuse of power[.]"

Written Statement of Prof. Jonathan Turley at 11, 23-24, The Impeachment Inquiry into President Donald J. Trump: Constitutional Grounds for Presidential Impeachment Before the H. Comm. on the Judiciary, 116th Cong. (Dec. 4, 2019).

**SLIDE 249.** S. Doc. 116–18 Vol. II, Pg. 881/883; 166 Cong. Rec. S492/S493

### **IMPEACHMENT DOES NOT REQUIRE A CRIME**

#### **A “criminality” requirement:**

- ▶ Rejected by the text of the Constitution
- ▶ Rejected by Framers of the Constitution
- ▶ Rejected by multiple Supreme Court justices
- ▶ Rejected in numerous judicial impeachments
- ▶ Rejected in the Nixon and Clinton cases

**SLIDE 250.** S. Doc. 116–18 Vol. II, Pg. 884/884; 166 Cong. Rec. S493/S493

### **ADDITIONAL ASPECTS OF OTHER HIGH CRIMES AND MISDEMEANORS**

- 1. Impeachment Is Not For Petty Offenses**
- 2. President Trump’s Conduct Reveals He Is A Continuing Threat**
- 3. Conduct That Is Recognizably Wrong**

**SLIDE 251.** S. Doc. 116–18 Vol. II, Pg. 885; 166 Cong. Rec. S493

**PRESIDENT TRUMP COMMITTED  
IMPEACHABLE OFFENSES**

► President Trump Committed “High Crimes And Misdemeanors”

- Abuse Of Power
- Betrayal Of National Interest Through Foreign Entanglements
- Corruption Of Office And Elections

**President Trump Is A Continuing Threat**

**SLIDE 252.** S. Doc. 116–18 Vol. II, Pg. 885/885; 166 Cong. Rec. S493/S493

**ARTICLE I:  
PRESIDENT TRUMP’S ABUSE OF POWER**

1	Corrupt Object Of The Scheme: Political Investigations to Benefit Reelection
2	Three Official Acts
3	Attempted Cover-Up & Exposure
4	Injury To Our Nation & Continuing Threat

**SLIDE 253.** S. Doc. 116–18 Vol. II, Pg. 885/886; 166 Cong. Rec. S493/S495



**SLIDE 254.** S. Doc. 116–18 Vol. II, Pg. 885; 166 Cong. Rec. S493



**SLIDE 255.** S. Doc. 116–18 Vol. II, Pg. 886; 166 Cong. Rec. S494

**PRESIDENT TRUMP CORRUPTLY SOLICITED FOREIGN INTERFERENCE**



**SLIDE 256.** S. Doc. 116–18 Vol. II, Pg. 886; 166 Cong. Rec. S494

**PRESIDENT TRUMP CORRUPTLY SOLICITED FOREIGN INTERFERENCE**

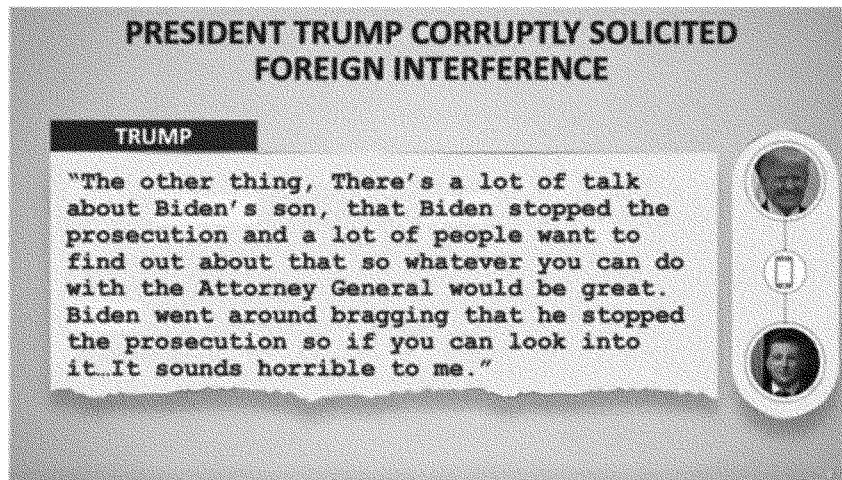
**Investigate Biden:**

"The other thing, There's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can do"

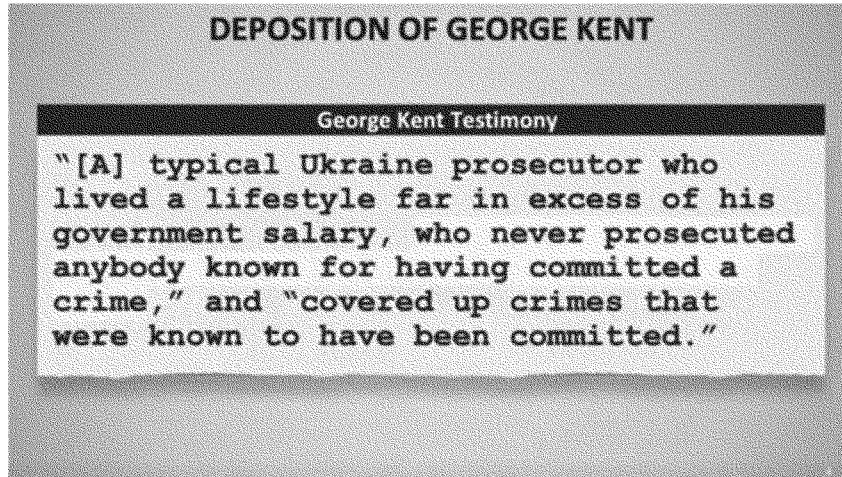
**Investigate 2016 Election:**

"I would like you to find out what happened with this whole situation with Ukraine, they say Crowdstrike... I would like you to get to the bottom of it. As you saw yesterday, that whole nonsense ended with a very poor performance by a man named Robert Mueller, an incompetent performance"

**SLIDE 257.** S. Doc. 116–18 Vol. II, Pg. 886/890; 166 Cong. Rec. S494/S495



**SLIDE 258.** S. Doc. 116–18 Vol. II, Pg. 887; 166 Cong. Rec. S494



**SLIDE 259.** S. Doc. 116–18 Vol. II, Pg. 888; 166 Cong. Rec. S494

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY  
TO BENEFIT HIS 2020 REELECTION**

**False  
Claim**

**Biden Removed Ukraine Prosecutor to  
Protect His Son**

- ▶ No Witness Supports Allegation
- ▶ Corrupt Prosecutor Removed Consistent With U.S. Policy
- ▶ Ukraine Prosecutor Admitted Allegation False
- ▶ President Trump Supported Ukraine Until Biden Political Became a Rival

**SLIDE 260.** S. Doc. 116–18 Vol. II, Pg. 888; 166 Cong. Rec. S495

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY  
TO BENEFIT HIS 2020 REELECTION**

**False  
Claim**

**Biden Removed Ukraine Prosecutor to  
Protect His Son**

- ▶ No Witness Supports Allegation
- ▶ Corrupt Prosecutor Removed Consistent With U.S. Policy

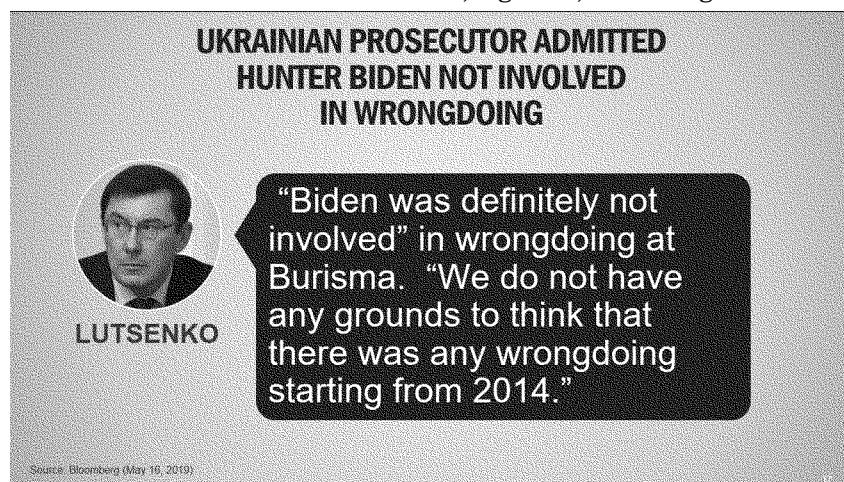
JANUARY 23, 2020

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**SLIDE 261.** S. Doc. 116–18 Vol. II, Pg. 889; 166 Cong. Rec. S495



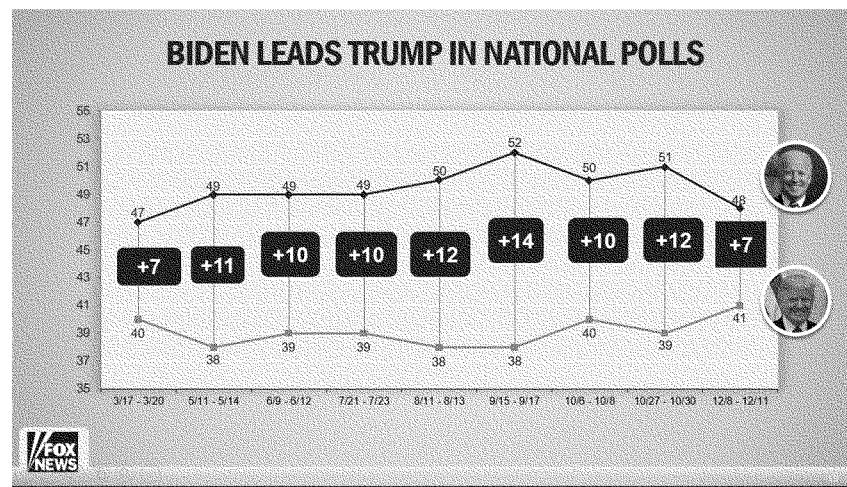
**SLIDE 262.** S. Doc. 116–18 Vol. II, Pg. 891; 166 Cong. Rec. S496



**SLIDE 263.** S. Doc. 116–18 Vol. II, Pg. 891; 166 Cong. Rec. S496

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION**

<b>False Claim</b>	<b>Biden Removed Ukraine Prosecutor to Protect His Son</b>
	<ul style="list-style-type: none"><li>▶ Biden Allegations: Late 2015 to Early 2016</li><li>▶ President Trump Supported Ukraine in 2017 and 2018</li><li>▶ <b>What Changed in 2019?</b><ul style="list-style-type: none"><li>▶ 2019: Biden Announces Presidential Campaign</li></ul></li></ul>

**SLIDE 264.** S. Doc. 116–18 Vol. II, Pg. 891/921; 166 Cong. Rec. S496/S507

**SLIDE 265.** S. Doc. 116–18 Vol. II, Pg. 892/892; 166 Cong. Rec. S496/S496

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION**

**False Claim**

**Biden Removed Ukraine Prosecutor to Protect His Son**

**What Changed in 2019?**

- ▶ Late 2015/Early 2016: Biden Removes Prosecutor
- ▶ 2017 and 2018: President Supports Ukraine
- ▶ March 2019: Biden Beating President In Polls
- ▶ April 2019: Biden Announces Candidacy
- ▶ May 2019: Mr. Giuliani: Investigate Biden
- ▶ July 25, 2019: President To Ukraine: Investigate Biden

**SLIDE 266.** S. Doc. 116–18 Vol. II, Pg. 892; 166 Cong. Rec. S496

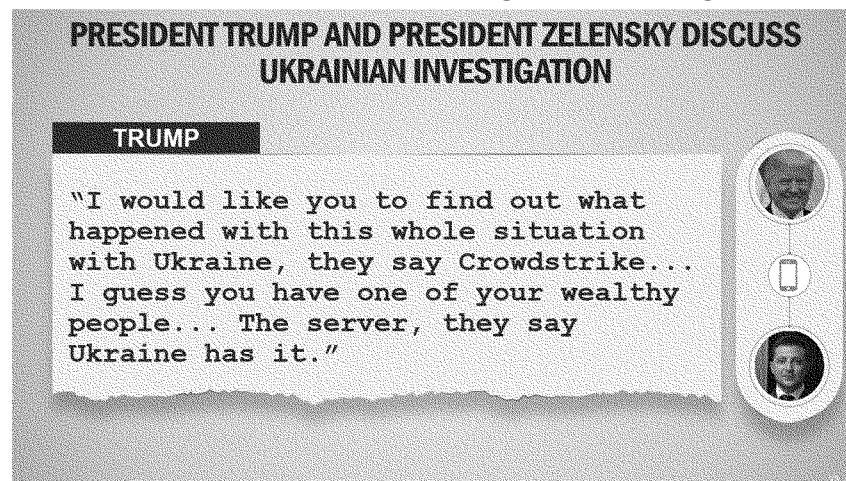
**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION**

**False Claim**

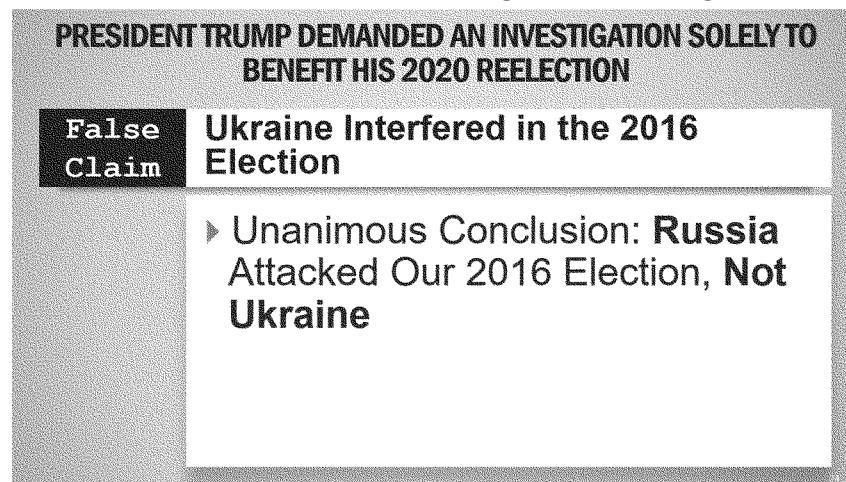
**Ukraine Interfered in the 2016 Election**

- ▶ **Russia** Attacked Our Elections And Then Blamed Ukraine
- ▶ **No Witness** Supports Allegation
- ▶ President Trump's Advisors Told Him Allegation Was False

**SLIDE 267.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S496



**SLIDE 268.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S496



**SLIDE 269.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S496

**INTELLIGENCE COMMUNITY ASSESSMENT**



“Assessing Russian Activities and Intentions in Recent US Elections”: The Analytic Process and Cyber Incident Attribution

“We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election. Russia’s goals were to undermine public faith in the US democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump. We have high confidence in these judgments.”

**SLIDE 270.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S497

**SENATE SELECT COMMITTEE ON INTELLIGENCE**



“Russian Active Measures Campaigns and Interference in the 2016 Election”

“The Committee found that the [Russian-based Internet Research Agency] sought to influence the 2016 U.S. presidential election by harming Hillary Clinton’s chances of success and supporting Donald Trump at the direction of the Kremlin … The Committee found that the Russian government tasked and supported the IRA’s interference in the 2016 U.S. election.”

**SLIDE 271.** S. Doc. 116–18 Vol. II, Pg. 893; 166 Cong. Rec. S497

**THE SPECIAL COUNSEL'S REPORT**



Report On The Investigation Into  
Russian Interference In The  
2016 Presidential Election

“As set forth in detail in this report, the Special Counsel's investigation established that Russia interfered in the 2016 presidential election principally through two operations. First, a Russian entity carried out a social media campaign that favored presidential candidate Donald J. Trump and disparaged presidential candidate Hillary Clinton. Second, a Russian intelligence service conducted computer-intrusion operations against entities, employees, and volunteers working on the Clinton Campaign and then released stolen documents.”

**SLIDE 272.** S. Doc. 116–18 Vol. II, Pg. 894/894; 166 Cong. Rec. S497/S497

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO BENEFIT HIS 2020 REELECTION**

False Claim

**Ukraine Interfered in the 2016 Election**

- ▶ Allegation Promoted by **Russia** to Deflect Blame From Their Attacks

SLIDE 273. S. Doc. 116–18 Vol. II, Pg. 895; 166 Cong. Rec. S497

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY TO  
BENEFIT HIS 2020 REELECTION**

**False  
Claim**

**Ukraine Interfered in the 2016  
Election**

- ▶ President Trump's Own Advisors  
**Told Him Allegation Was False**

SLIDE 274. S. Doc. 116–18 Vol. II, Pg. 896; 166 Cong. Rec. S498

**RUSSIA BENEFITED FROM  
PRESIDENT TRUMP'S INVESTIGATIONS**

**NOVEMBER 20, 2019**



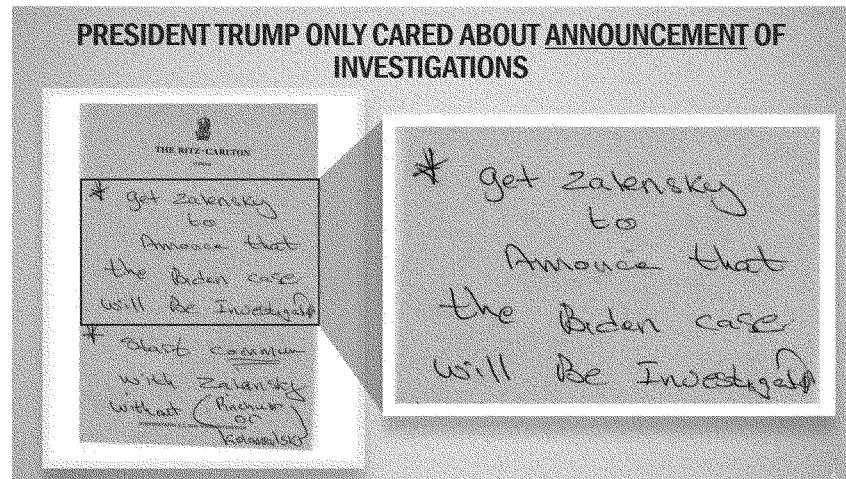
**"Thank God nobody is accusing us  
anymore of interfering in U.S. elections.  
Now they're accusing Ukraine."**

**- President Putin**

**SLIDE 275.** S. Doc. 116–18 Vol. II, Pg. 899/900; 166 Cong. Rec. S499/S499

<b>INVESTIGATIONS SOLELY FOR PRESIDENT'S PERSONAL GAIN</b>	
<b>1</b>	President Cared Only About Announcement Of Investigations
<b>2</b>	President Cared Only About "Big Stuff": Investigating Biden
<b>3</b>	President Used <u>Personal</u> Attorney: This Isn't "Foreign Policy"
<b>4</b>	Investigations <u>Never</u> Part Of Official U.S. Policy
<b>5</b>	Investigations <u>Outside</u> Official Channels
<b>6</b>	Multiple Administration Officials <u>Reported</u> Concerns
<b>7</b>	Ukraine Expressed Concerns: Investigations <u>Political</u>
<b>8</b>	The White House Attempted To Bury The Call
<b>9</b>	President Told Us In His Own Statements
<b>10</b>	President Did Not Care About Anti-Corruption Efforts In Ukraine

**SLIDE 276.** S. Doc. 116–18 Vol. II, Pg. 900; 166 Cong. Rec. S499



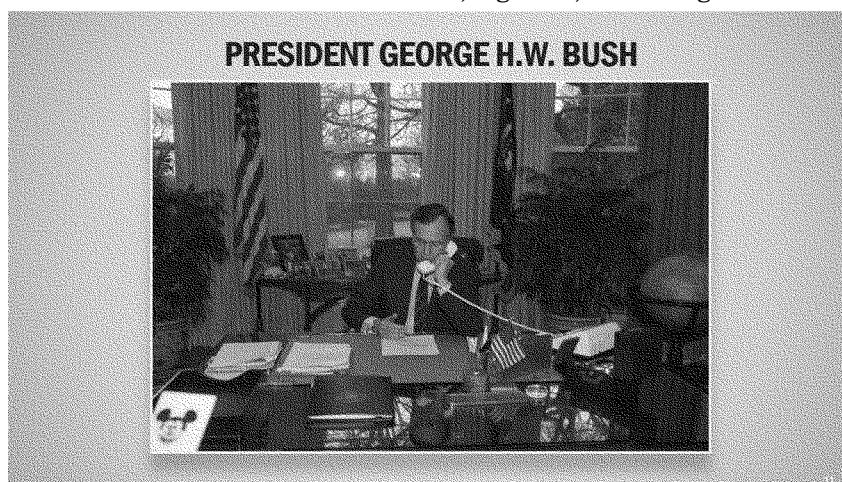
JANUARY 23, 2020

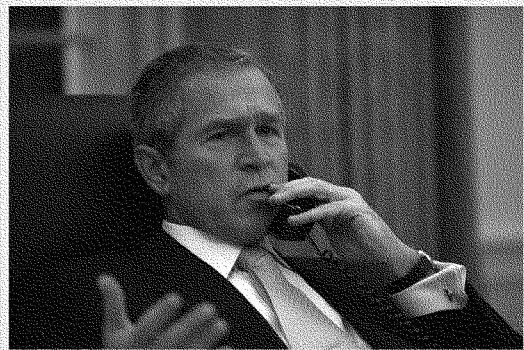
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**SLIDE 277.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500



**SLIDE 278.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500



**SLIDE 279.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500**PRESIDENT GEORGE W. BUSH**

<https://www.flickr.com/photos/nationalarchives/6124775674>

**SLIDE 280.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500**PRESIDENT BARACK OBAMA**

<https://www.govmenpulse.com/2017/01/20/merkel-receives-obama-final-foreign-call/>

**SLIDE 281.** S. Doc. 116–18 Vol. II, Pg. 903; 166 Cong. Rec. S500

**GIULIANI'S INVOLVEMENT IN UKRAINE WAS  
TO FURTHER TRUMP'S PERSONAL INTERESTS**



**Giuliani May 10 Letter To President Zelensky**

**RUDOLPH W. GIULIANI**

Dear President-Elect Zelensky:

I am private counsel to President Donald J. Trump. Just to be precise, I represent him as a private citizen, not as President of the United States. This is quite common under American law because the duties and privileges of a President and a private citizen are not the same. Separate representation is usual process.

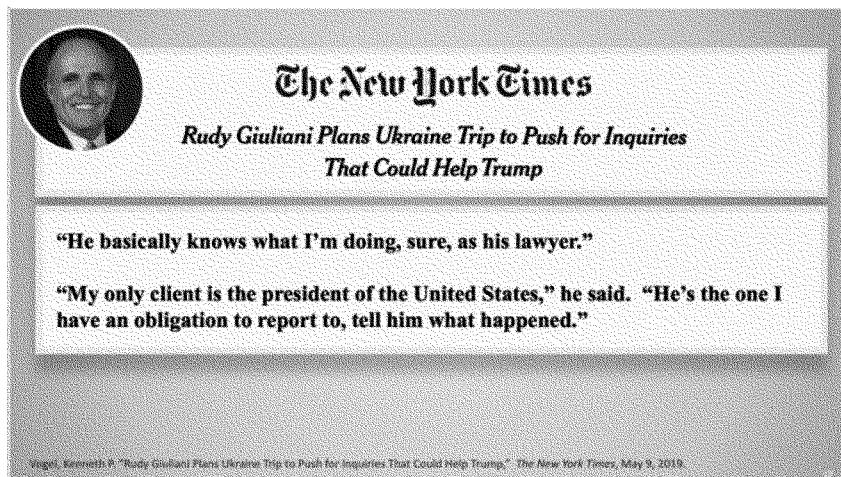
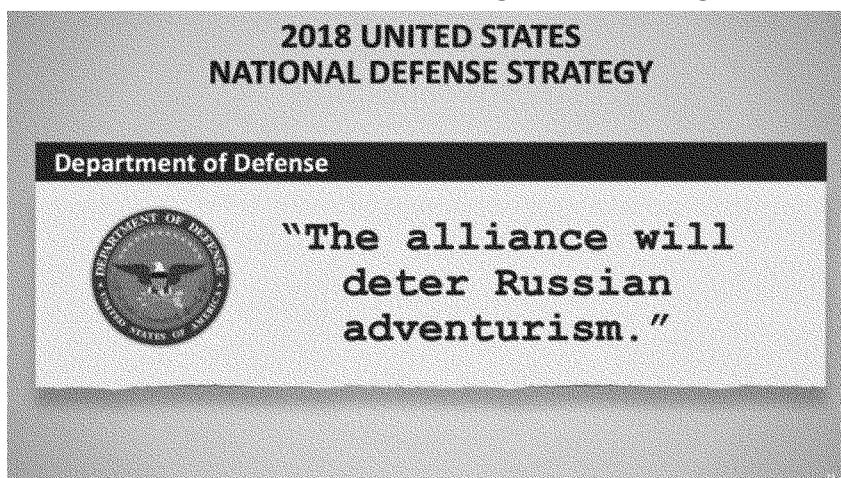
**SLIDE 282.** S. Doc. 116–18 Vol. II, Pg. 904; 166 Cong. Rec. S500

**The New York Times**

*Rudy Giuliani Plans Ukraine Trip to Push for Inquiries  
That Could Help Trump*

“We’re not meddling in an election, we’re meddling in an investigation, which we have a right to do.”

“There’s nothing illegal about it,” he said. “Somebody could say it’s improper. And this isn’t foreign policy – I’m asking them to do an investigation that they’re doing already and that other people are telling them to stop. And I’m going to give them reasons why they shouldn’t stop it because that information will be very, very helpful to my client, and may turn out to be helpful to my government.”

**SLIDE 283.** S. Doc. 116–18 Vol. II, Pg. 904; 166 Cong. Rec. S500**SLIDE 284.** S. Doc. 116–18 Vol. II, Pg. 905; 166 Cong. Rec. S501

**SLIDE 285.** S. Doc. 116–18 Vol. II, Pg. 905; 166 Cong. Rec. S501**GENERAL McMASTER'S REMARKS ON RUSSIA APRIL 3, 2018****General H.R. McMaster**

"...[F]or too long, some nations have looked the other way in the face of these threats. Russia brazenly and implausibly denies its actions and we have failed to impose sufficient costs. the Kremlin's confidence is growing as its agents conduct their sustained campaigns to undermine our confidence in ourselves and in one another."

**SLIDE 286.** S. Doc. 116–18 Vol. II, Pg. 906; 166 Cong. Rec. S501**PRESIDENT TRUMP'S INVESTIGATIONS DIVERGED FROM U.S. NATIONAL SECURITY**

HILL

"[Ambassador Sondland] was being involved in a domestic political errand, and we were being involved in national security foreign policy, and **those two things had just diverged.**"



TAYLOR

"[O]ur holding up of security assistance that would go to a country that is fighting aggression from Russia, for no good policy reason, no good substantive reason, **no good national security reason**, is wrong"

**SLIDE 287.** S. Doc. 116–18 Vol. II, Pg. 908; 166 Cong. Rec. S502

**DEPARTMENT OF JUSTICE  
SEPTEMBER 25, 2019 STATEMENT**

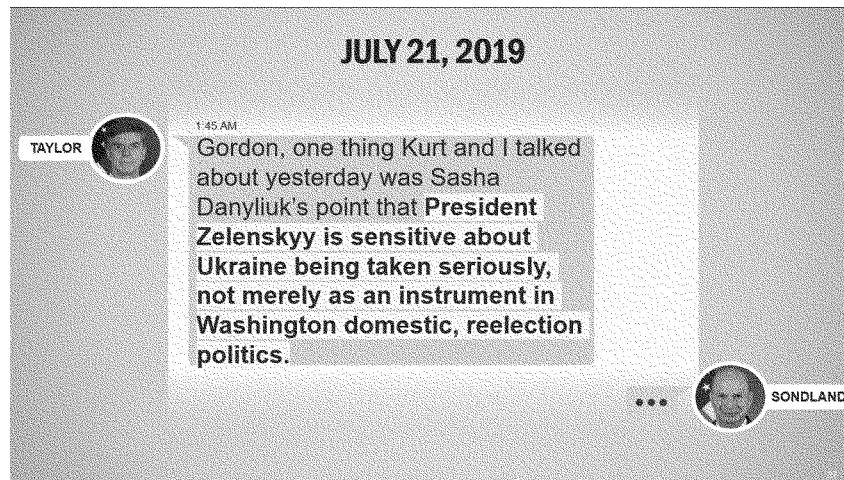
**Kerri Kupec, Department of Justice Spokesperson**

"The President has not spoken with the Attorney General about having Ukraine investigate anything relating to former Vice President Biden or his son. The President has not asked the Attorney General to contact Ukraine – on this or any matter. The Attorney General has not communicated with Ukraine – on this or any other subject. Nor has the Attorney General discussed this matter, or anything relating to Ukraine, with Rudy Giuliani."

**SLIDE 288.** S. Doc. 116–18 Vol. II, Pg. 909; 166 Cong. Rec. S503

**PRESIDENT TRUMP'S TOP OFFICIALS CONTEMPORANEOUSLY REPORTED HIS CONDUCT**

July 10, 2019	July 11, 2019	July 25, 2019	Sept. 1, 2019	Oct. 4, 2019
				
FIONA HILL	LT. COL. VINDMAN	FIONA HILL	TIM MORRISON	LT. COL. VINDMAN
				
TIM MORRISON				
				
GEORGE KENT				

**SLIDE 289.** S. Doc. 116–18 Vol. II, Pg. 910; 166 Cong. Rec. S503**SLIDE 290.** S. Doc. 116–18 Vol. II, Pg. 910; 166 Cong. Rec. S503

**SLIDE 291.** S. Doc. 116–18 Vol. II, Pg. 910; 166 Cong. Rec. S503

### DEPOSITION OF AMBASSADOR BILL TAYLOR

#### Ambassador Bill Taylor Testimony

"The whole thrust of this irregular channel was to get these investigations, which Danyliuk and presumably Zelensky were resisting because they didn't want to be seen to be interfering but also to be a pawn."

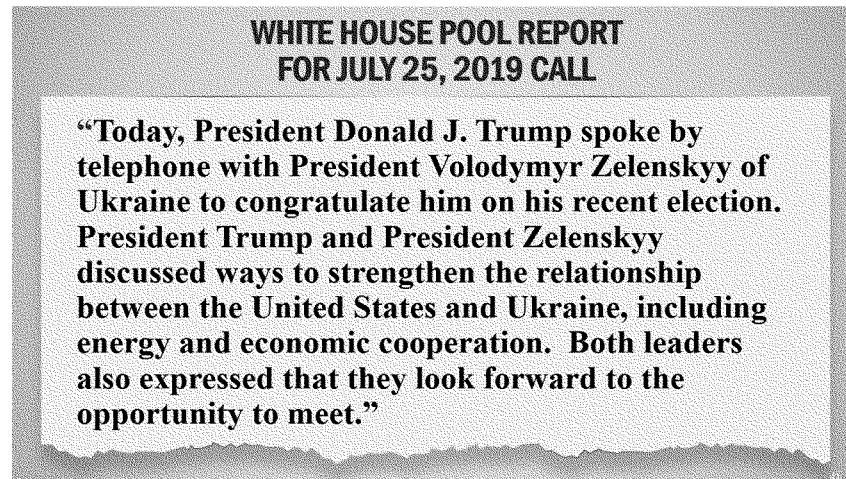
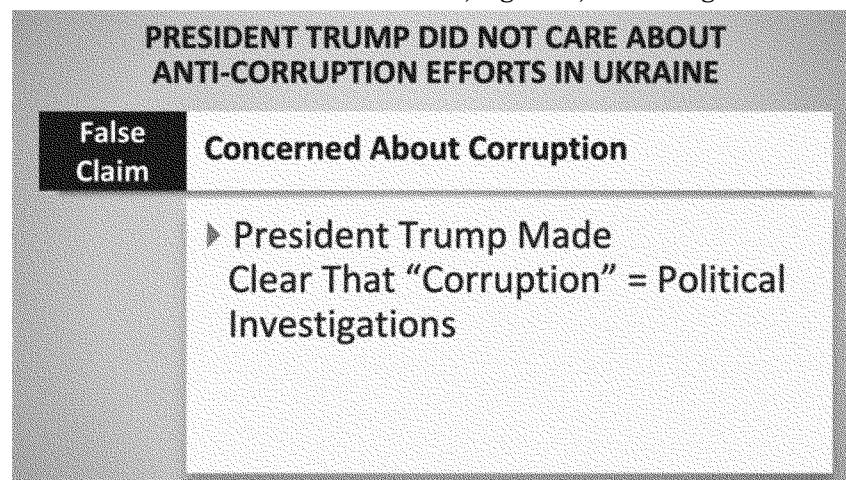
**SLIDE 292.** S. Doc. 116–18 Vol. II, Pg. 911; 166 Cong. Rec. S503

### UKRAINE EXPRESSED CONCERNS: INVESTIGATIONS POLITICAL



ZELENSKY

"I'm sorry, but I don't want to be involved to democratic, open elections – elections of USA."

**SLIDE 293.** S. Doc. 116–18 Vol. II, Pg. 912; 166 Cong. Rec. S503**SLIDE 294.** S. Doc. 116–18 Vol. II, Pg. 914; 166 Cong. Rec. S504

**SLIDE 295.** S. Doc. 116–18 Vol. II, Pg. 915; 166 Cong. Rec. S505

**PRESIDENT TRUMP DID NOT CARE ABOUT ANTI-CORRUPTION EFFORTS IN UKRAINE**

False Claim	Concerned About Corruption
	<ul style="list-style-type: none"><li>▶ President Trump Only Cared in 2019 When Biden Was a Political Rival</li><li>▶ 2017: Approved \$510 Million</li><li>▶ 2018: Approved \$359 Million</li><li>▶ 2019: No Aid Without Investigations</li></ul>

**SLIDE 296.** S. Doc. 116–18 Vol. II, Pg. 916/917; 166 Cong. Rec. S505/S505

**PRESIDENT TRUMP DID NOT CARE ABOUT ANTI-CORRUPTION EFFORTS IN UKRAINE**

**WHITE HOUSE READOUT – APRIL 21, 2019**

President Donald J. Trump spoke today with President-elect Volodymyr Zelensky to congratulate him on his victory in Ukraine's April 21 election. The President wished him success and called the election an important moment in Ukraine's history, noting the peaceful and democratic manner of the electoral process. President Trump underscored the unwavering support of the United States for Ukraine's sovereignty and territorial integrity – within its internationally recognized borders – and expressed his commitment to work together with President-elect Zelensky and the Ukrainian people to implement reforms that strengthen democracy, increase prosperity, and root out corruption.

IMPEACHMENT INQUIRY UPDATES  
C-SPAN.COM/IMPEACHMENT  
LIVE CBSN

**SLIDE 297.** S. Doc. 116–18 Vol. II, Pg. 917; 166 Cong. Rec. S506

**PRESIDENT TRUMP DEMANDED AN INVESTIGATION SOLELY  
TO BENEFIT HIS 2020 REELECTION**

**False  
Claim**

**Concerned About Corruption**

- ▶ **Trump Administration:**  
President Zelensky Was Anti-Corruption
- ▶ **DOD and State Department:**  
Ukraine Passed Anti-Corruption  
Benchmarks

**SLIDE 298.** S. Doc. 116–18 Vol. II, Pg. 918; 166 Cong. Rec. S506

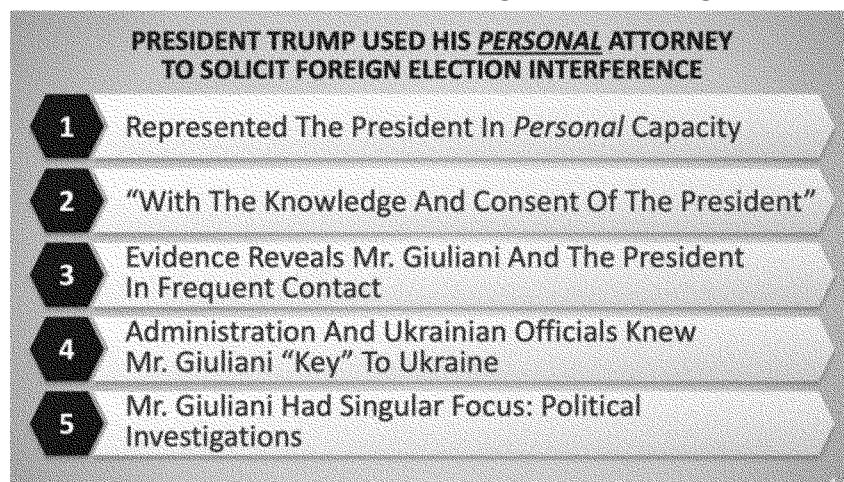
**ARTICLE I:  
PRESIDENT TRUMP'S ABUSE OF POWER**

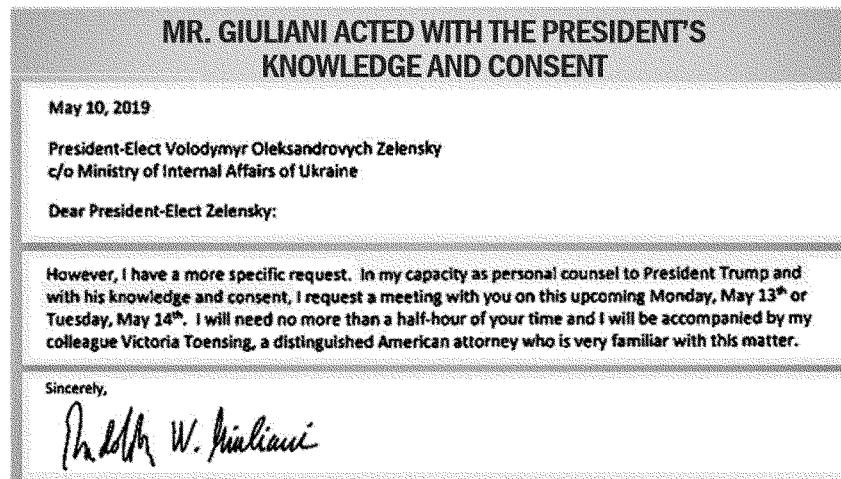
**THREE OFFICIAL ACTS**

**1** **Soliciting Foreign Interference**

**2** **Conditioning White House Meeting On  
Investigations**

**3** **Conditioning Military Aid On  
Investigations**

**SLIDE 299.** S. Doc. 116–18 Vol. II, Pg. 918; 166 Cong. Rec. S506**SLIDE 300.** S. Doc. 116–18 Vol. II, Pg. 919; 166 Cong. Rec. S506

**SLIDE 301.** S. Doc. 116–18 Vol. II, Pg. 919; 166 Cong. Rec. S506**SLIDE 302.** S. Doc. 116–18 Vol. II, Pg. 919; 166 Cong. Rec. S506

**The New York Times**

## *Rudy Giuliani Plans Ukraine Trip to Push for Inquiries That Could Help Trump*

By Kenneth P. Vogel

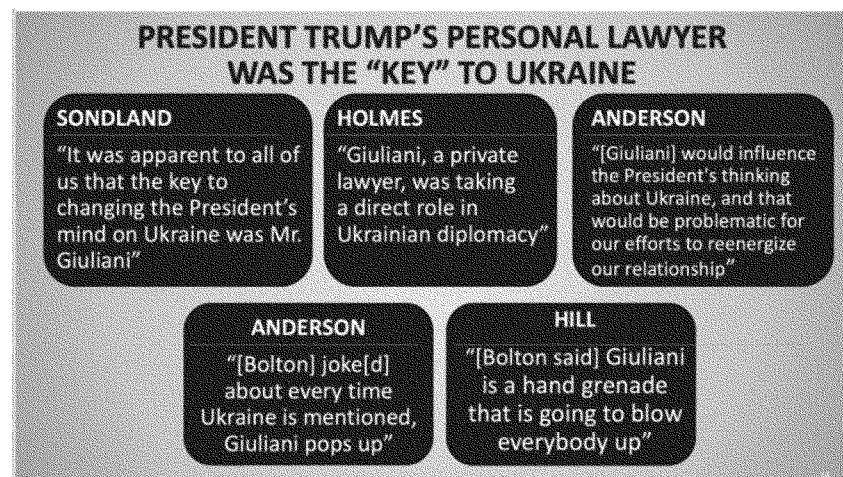
May 9, 2019

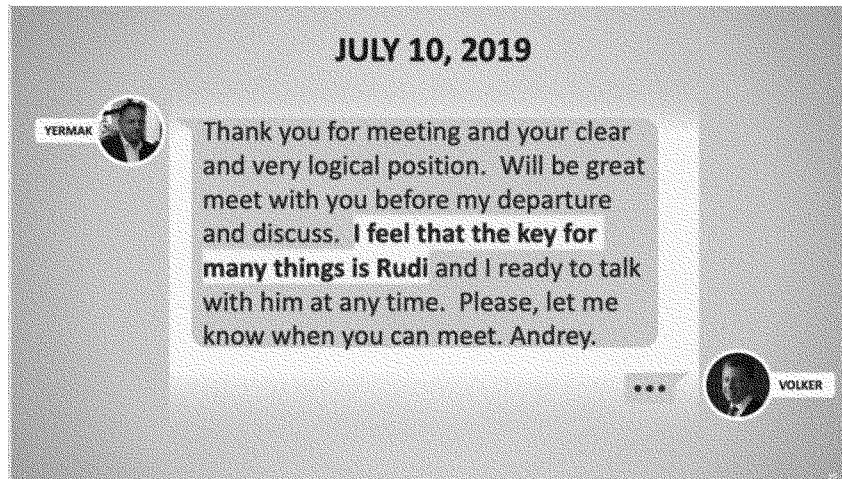
WASHINGTON — Rudolph W. Giuliani, President Trump's personal lawyer, is encouraging Ukraine to wade further into sensitive political issues in the United States, seeking to push the incoming government in Kiev to press ahead with investigations that he hopes will benefit Mr. Trump.

**SLIDE 303.** S. Doc. 116–18 Vol. II, Pg. 919; 166 Cong. Rec. S506**SLIDE 304.** S. Doc. 116–18 Vol. II, Pg. 920; 166 Cong. Rec. S507

**SLIDE 305.** S. Doc. 116–18 Vol. II, Pg. 920; 166 Cong. Rec. S507

GIULIANI PHONE RECORDS				
Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
04/24/19	7:49 am	4:53	Giuliani, Rudy	White House Phone Number
04/24/19	1:03 pm	13:44	OMB-Associated Phone Number	Giuliani, Rudy
04/24/19	6:42 pm	8:42	White House Phone Number	Giuliani, Rudy
04/24/19	8:12 pm	3:15	White House Phone Number	Giuliani, Rudy

**SLIDE 306.** S. Doc. 116–18 Vol. II, Pg. 920/921; 166 Cong. Rec. S507/S507

**SLIDE 307.** S. Doc. 116–18 Vol. II, Pg. 921; 166 Cong. Rec. S507**SLIDE 308.** S. Doc. 116–18 Vol. II, Pg. 921/921/922; 166 Cong. Rec. S507/S507/S507

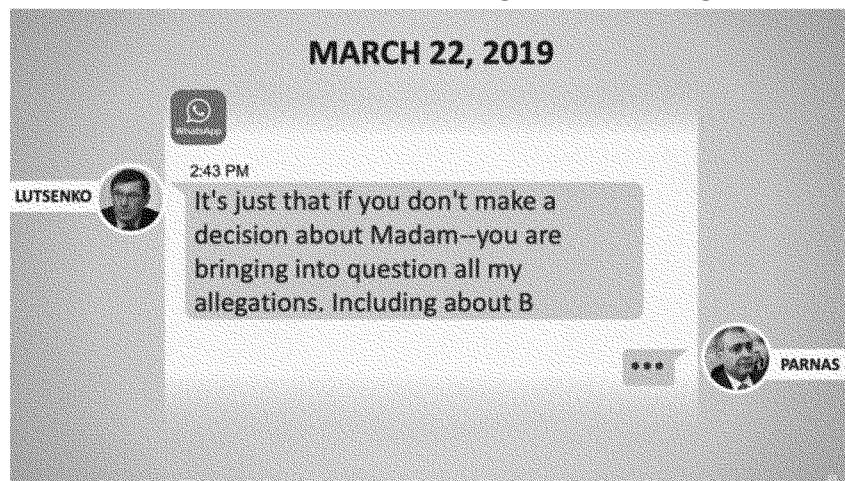
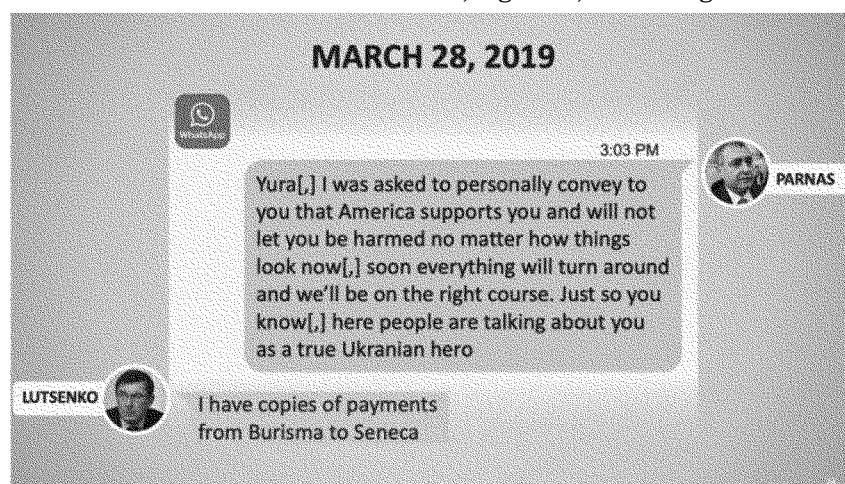
<b>MR. GIULIANI ACTED FOR PRESIDENT TRUMP'S PERSONAL INTERESTS TO BENEFIT HIS REELECTION</b>	
April 25	Biden Announces Election Bid
May 9	NYTimes: Giuliani Traveling To Ukraine To Pursue Investigations Of "Intense Importance" to The President
May 9	Giuliani: "Biden Will Not Get To Election Day Without This Being Investigated"
June 21	Giuliani To President Zelensky: Conduct Investigations
September – Present	Giuliani Tweets About Biden Over <u>65</u> Times
Oct 2	President: "We've Been Investigating, On A Personal Basis – <b><i>Through Rudy And Others</i></b> "

**SLIDE 309.** S. Doc. 116–18 Vol. II, Pg. 922; 166 Cong. Rec. S507



**SLIDE 310.** S. Doc. 116–18 Vol. II, Pg. 922; 166 Cong. Rec. S507



**SLIDE 311.** S. Doc. 116–18 Vol. II, Pg. 923; 166 Cong. Rec. S508**SLIDE 312.** S. Doc. 116–18 Vol. II, Pg. 923; 166 Cong. Rec. S508

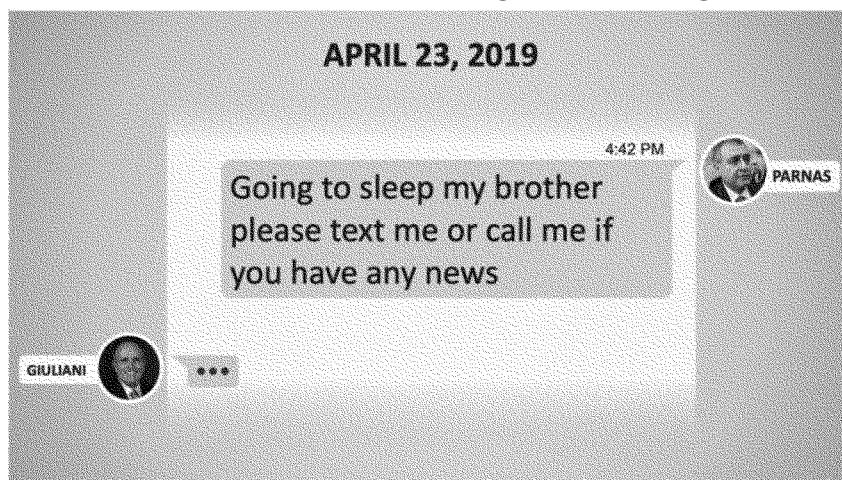
JANUARY 23, 2020

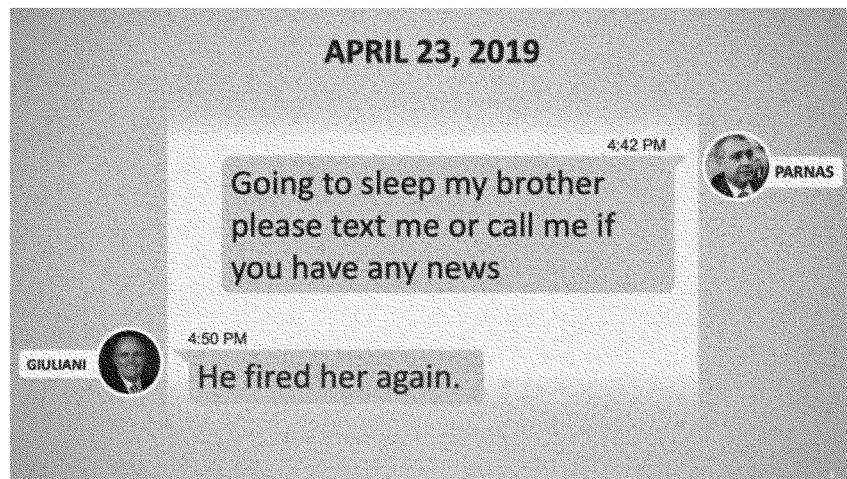
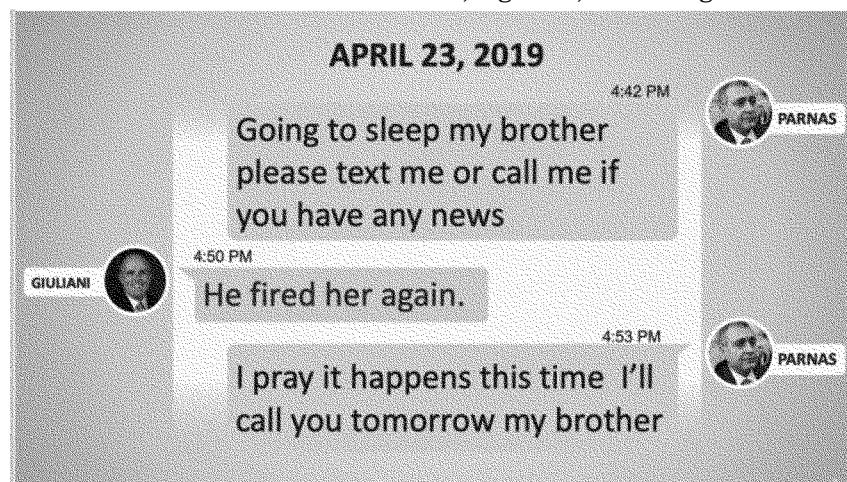
1735

**SLIDE 313.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S508

Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
04/23/19	14:00:56	1:50	Giuliani, Rudy	Parnas, Lev
04/23/19	14:15:18	0:18	Giuliani, Rudy	White House Phone Number
04/23/19	14:15:43	0:11	Giuliani, Rudy	White House Phone Number
04/23/19	15:20:17	0:11	Giuliani, Rudy	White House Phone Number
04/23/19	15:50:23	8:28	White House Phone Number	Giuliani, Rudy

**SLIDE 314.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S509



**SLIDE 315.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S509**SLIDE 316.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S509

**SLIDE 317.** S. Doc. 116–18 Vol. II, Pg. 925; 166 Cong. Rec. S509**Marie Yovanovitch Testimony**

"She said that there was a lot of concern for me, that I needed to be on the next plane home to Washington. And I was like, what? What happened? And she said, I don't know, but this is about your security. You need to come home immediately. You need to come home on the next plane. And I said, physical security? I mean, is there something going on here in the Ukraine? Because sometimes Washington has intel or something else that we don't necessarily know. And she said, no, I didn't get that impression, but you need to come back immediately."

**SLIDE 318.** S. Doc. 116–18 Vol. II, Pg. 926; 166 Cong. Rec. S509**PRESIDENT TRUMP REMOVED  
AMBASSADOR YOVANOVITCH**

HALE

"I believe that [Ambassador Yovanovitch] should've been able to stay at post and continue to do the outstanding work that she was doing."



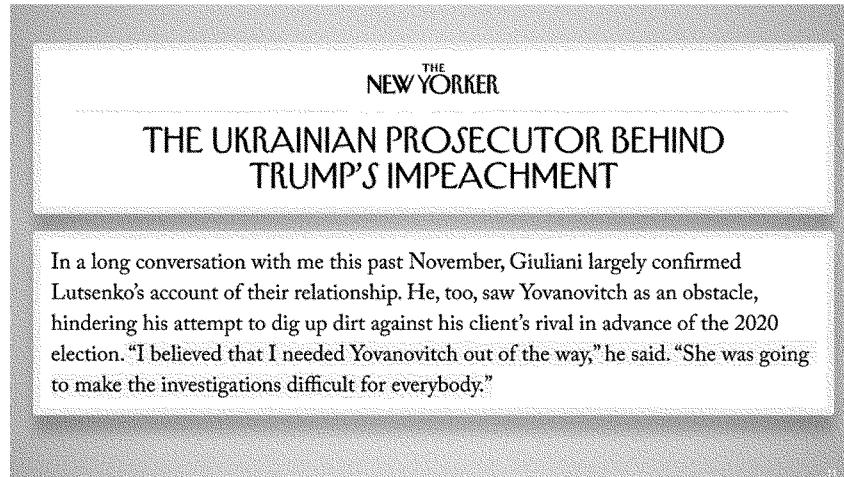
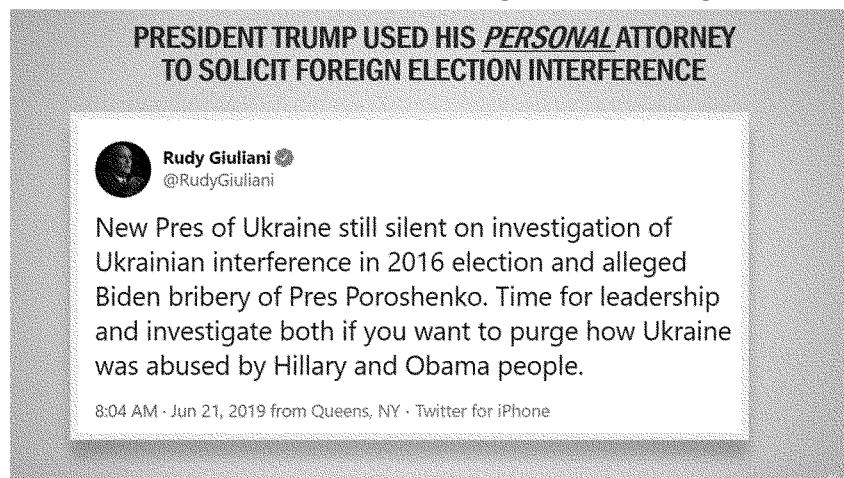
HILL

"[With removing Yovanovitch], we had just then lost the leadership ... a period of uncertainty [followed] as to how we were going to be conducting our Ukraine policy."



KENT

"[Removing Yovanovitch] hampered U.S. efforts to establish rapport with the new Zelensky administration in Ukraine."

**SLIDE 319.** S. Doc. 116–18 Vol. II, Pg. 927; 166 Cong. Rec. S509**SLIDE 320.** S. Doc. 116–18 Vol. II, Pg. 928; 166 Cong. Rec. S510

**SLIDE 321.** S. Doc. 116–18 Vol. II, Pg. 931; 166 Cong. Rec. S511

## **ARTICLE I: PRESIDENT TRUMP'S ABUSE OF POWER**

### **THREE OFFICIAL ACTS**

**1** **Soliciting Foreign Interference**

**2** **Conditioning White House Meeting On Investigations**

**3** **Conditioning Military Aid On Investigations**

**SLIDE 322.** S. Doc. 116–18 Vol. II, Pg. 931/951; 166 Cong. Rec. S511/S519

## **PRESIDENT TRUMP CONDITIONED AN OFFICIAL OVAL OFFICE MEETING ON INVESTIGATIONS**

**1** Why An Oval Office Meeting Was Critical To Ukraine

**2** The President's Quid Pro Quo Scheme

**3** Witnesses Confirmed The Quid Pro Quo

**4** U.S. Officials' Reactions Confirm Misconduct

**5** Ukraine's Reaction Confirms Misconduct

**SLIDE 323.** S. Doc. 116–18 Vol. II, Pg. 933; 166 Cong. Rec. S512

**IMPORTANCE OF  
OVAL OFFICE MEETING TO UKRAINE**

**Lt. Col. Vindman Testimony**

**Q:** So, from the ... end of May until July 25, when you spoke to your Ukrainian counterparts in any way, how frequently did they raise the issue or idea of a White House meeting...?

**VINDMAN:** Every meeting.

**SLIDE 324.** S. Doc. 116–18 Vol. II, Pg. 933; 166 Cong. Rec. S512

**PRESIDENT ZELENSKY ASKED THREE TIMES FOR PERSONAL VISIT ON APRIL 21 CALL**

**TRUMP**

"When you're settled in and ready, I'd like to invite you to the White House. We'll have a lot of things to talk about, but we're with you all the way."

**ZELENSKY**

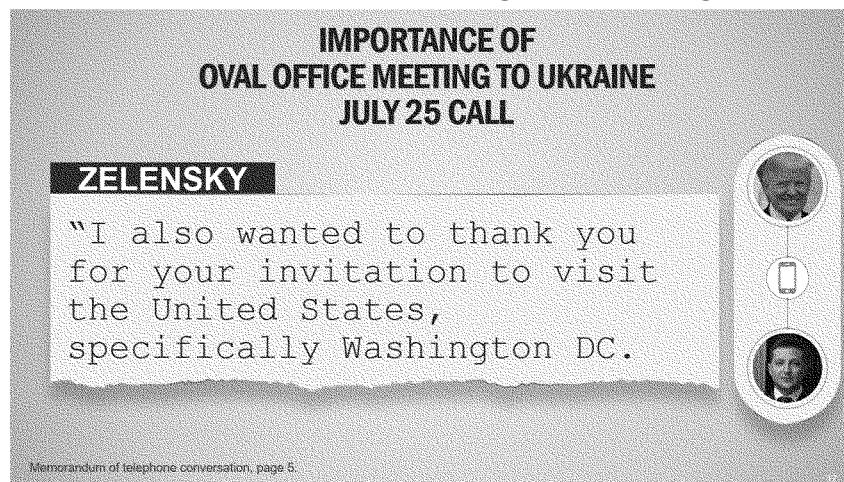
"Well thank you for the invitation. We accept the invitation and look forward to the visit."



**SLIDE 325.** S. Doc. 116–18 Vol. II, Pg. 935; 166 Cong. Rec. S512



**SLIDE 326.** S. Doc. 116–18 Vol. II, Pg. 936; 166 Cong. Rec. S513



**SLIDE 327.** S. Doc. 116–18 Vol. II, Pg. 937; 166 Cong. Rec. S513

**PRESIDENT TRUMP CONDITIONED AN OFFICIAL OVAL  
OFFICE MEETING ON INVESTIGATIONS**



TAYLOR

“Kurt told me that he had discussed [with Zelensky’s Chief of Staff] how President Zelensky could prepare for the phone call with President Trump...and Kurt suggested to President Zelensky that President Trump would like to hear about the investigations.”

Taylor Depo. Tr. at 64-65.

**SLIDE 328.** S. Doc. 116–18 Vol. II, Pg. 937; 166 Cong. Rec. S513

**AMB. SONDLAND SOLICITS PRESIDENT TRUMP’S  
POLITICAL INVESTIGATIONS**  
**JULY 10, 2019**



Ambassador Gordon Sondland



National Security Advisor Ambassador John Bolton



Dr. Fiona Hill



Lt. Col. Alexander Vindman



Secretary Rick Perry



Ambassador Kurt Volker

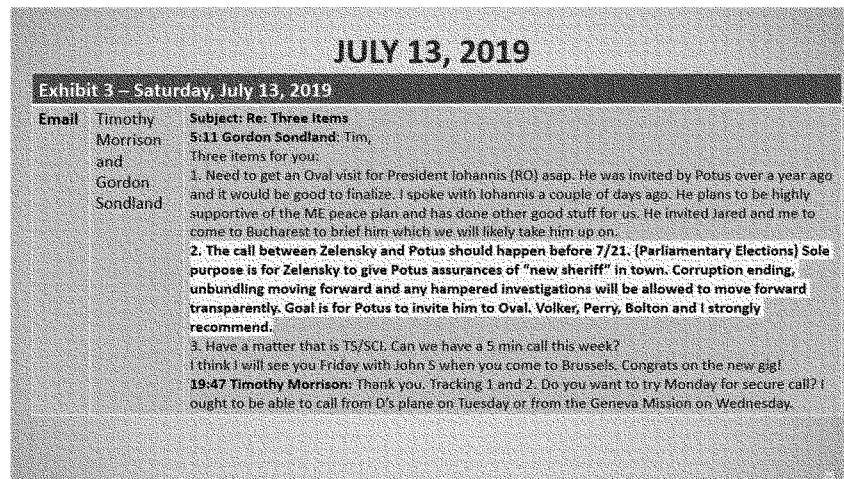


Ukrainian Pres. Aide Andriy Yermak

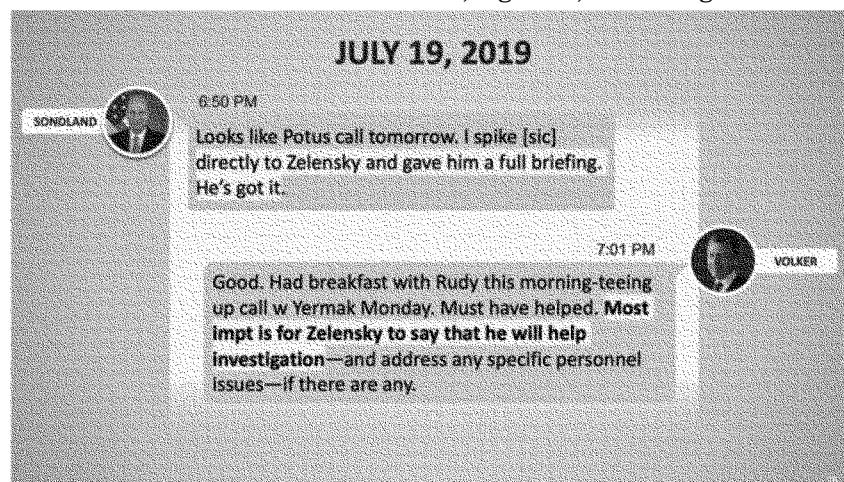
JANUARY 23, 2020

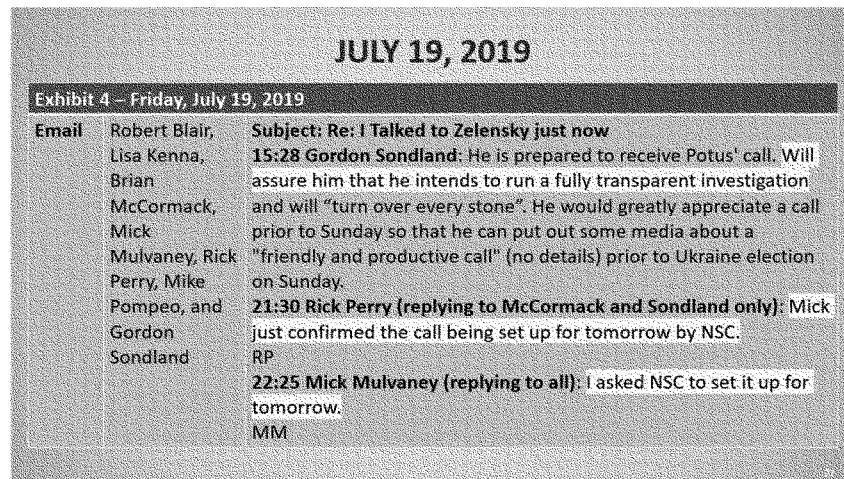
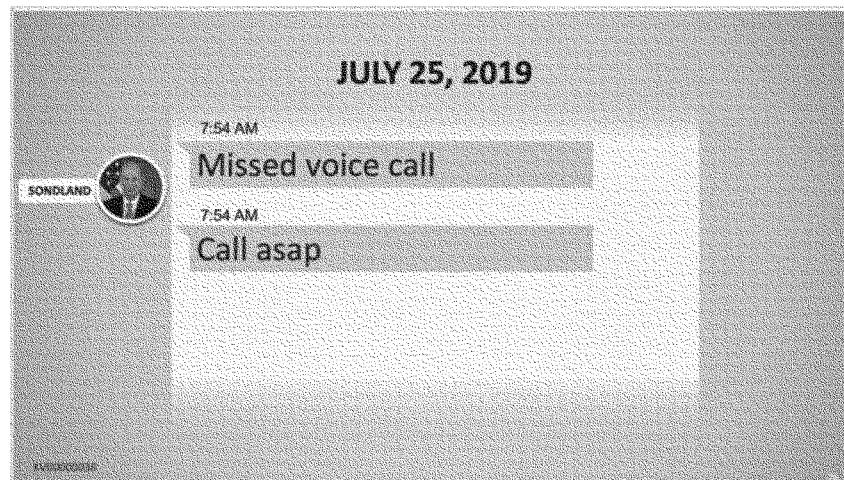
1743

**SLIDE 329.** S. Doc. 116–18 Vol. II, Pg. 939; 166 Cong. Rec. S514



**SLIDE 330.** S. Doc. 116–18 Vol. II, Pg. 939; 166 Cong. Rec. S514



**SLIDE 331.** S. Doc. 116–18 Vol. II, Pg. 939; 166 Cong. Rec. S514**SLIDE 332.** S. Doc. 116–18 Vol. II, Pg. 940; 166 Cong. Rec. S514

**SLIDE 333.** S. Doc. 116–18 Vol. II, Pg. 940; 166 Cong. Rec. S514**TESTIMONY OF AMBASSADOR VOLKER**

GOLDMAN: Now what was the message that you had received?

VOLKER: That President Zelensky should be clear, convincing, forthright with President Trump about his commitment to fighting corruption, investigating what happened in the past, get to the bottom of things, whatever there is, and— and if he does that, President Trump was prepared to be reassured, that he would say yes, come on, let's get this date for this visit scheduled.

**SLIDE 334.** S. Doc. 116–18 Vol. II, Pg. 940; 166 Cong. Rec. S514**JULY 25, 2019**

8:36 AM

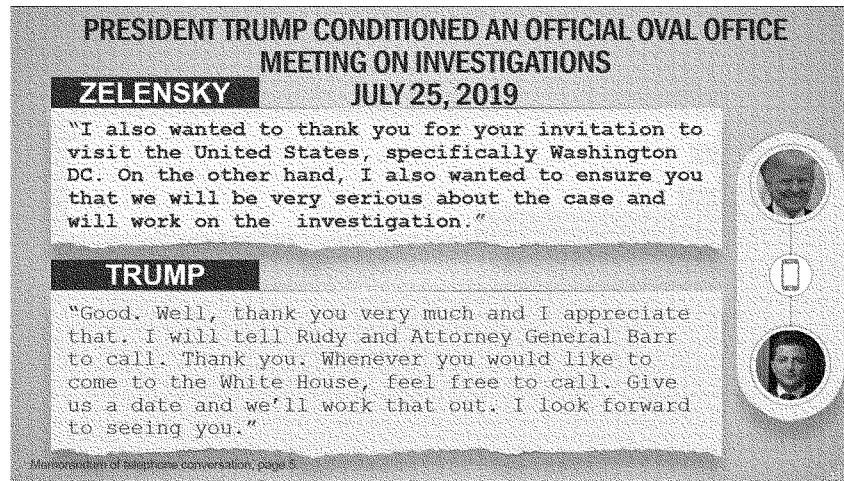
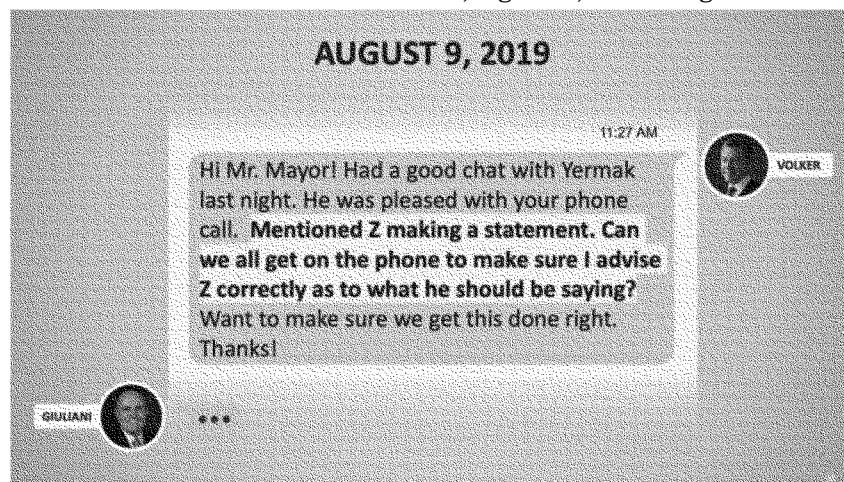


VOLKER

Good lunch - thanks. Heard from White House - assuming President Z convinces trump he will investigate / "get to the bottom of what happened" in 2016, we will nail down date for visit to Washington. Good luck! See you tomorrow - kurt

YERMAK

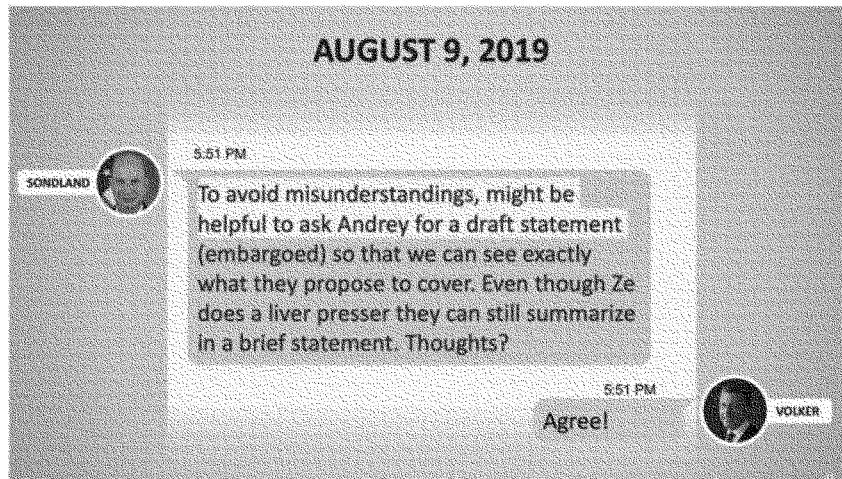
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**SLIDE 335.** S. Doc. 116–18 Vol. II, Pg. 941; 166 Cong. Rec. S515**SLIDE 336.** S. Doc. 116–18 Vol. II, Pg. 942; 166 Cong. Rec. S515

JANUARY 23, 2020

1747

**SLIDE 337.** S. Doc. 116–18 Vol. II, Pg. 943; 166 Cong. Rec. S515

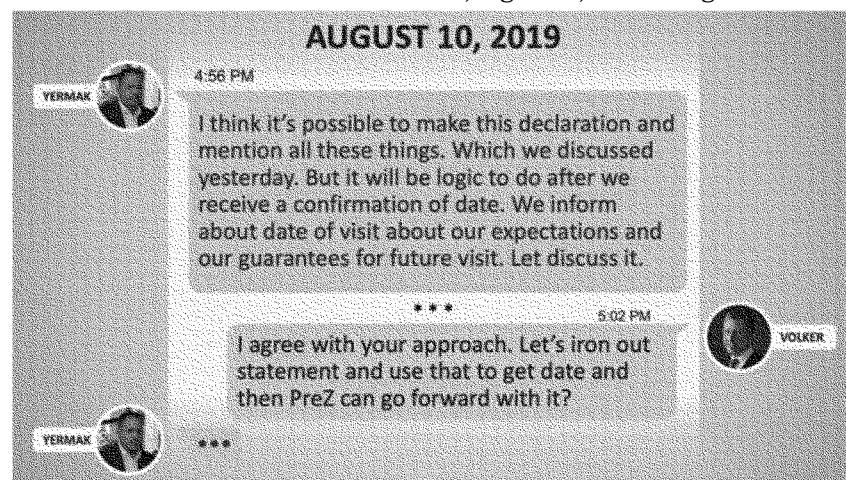


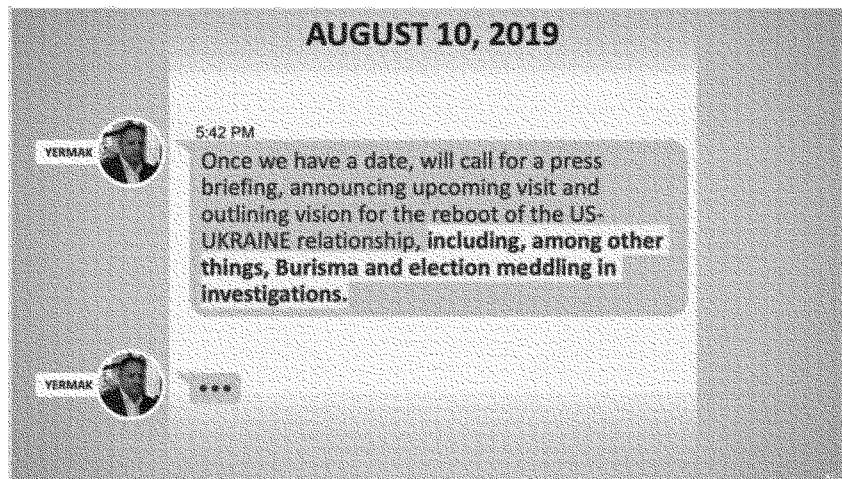
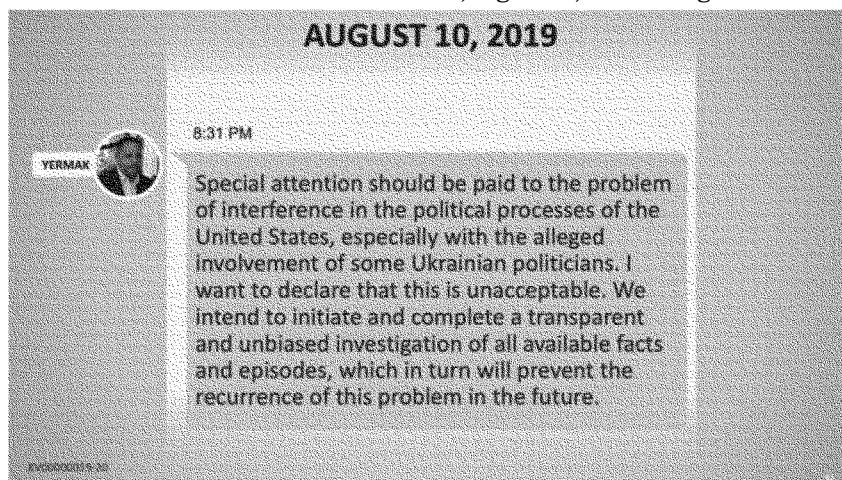
**SLIDE 338.** S. Doc. 116–18 Vol. II, Pg. 943; 166 Cong. Rec. S515

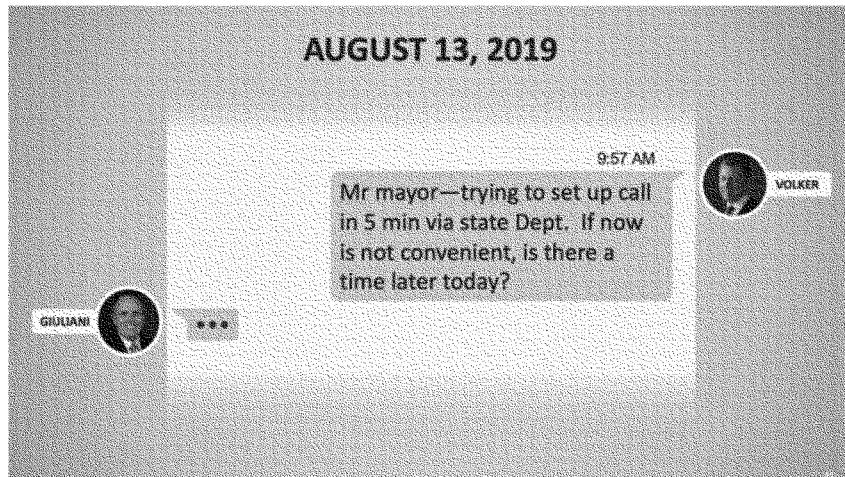
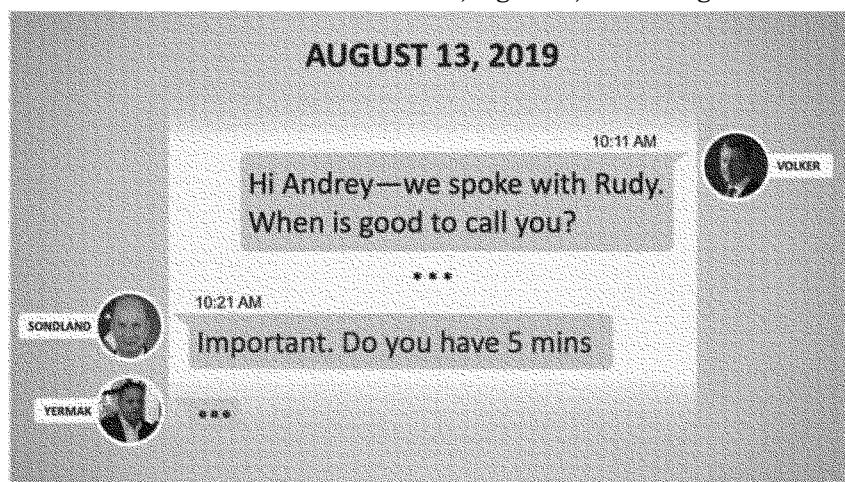
Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
08/08/19	12:44:56	0:42	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	12:45:38	1:25	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	13:02:37	TEXT	Giuliani, Rudy	White House Number
08/08/19	13:02:37	TEXT	Giuliani, Rudy	White House Number
08/08/19	13:02:57	TEXT	Giuliani, Rudy	White House Number
08/08/19	14:14:53	TEXT	White House Number	Giuliani, Rudy
08/08/19	14:15:17	TEXT	Giuliani, Rudy	White House Number
08/08/19	14:21:13	TEXT	Giuliani, Rudy	White House Number
08/08/19	15:13:05	12:56	OMB Number	Giuliani, Rudy
08/08/19	15:56:44	0:00	Giuliani, Rudy	OMB-Associated Number
08/08/19	15:56:51	0:00	Giuliani, Rudy	OMB-Associated Number
08/08/19	15:57:05	0:00	Giuliani, Rudy	OMB-Associated Number
08/08/19	15:57:21	0:22	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	17:20:33	0:17	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	19:14:48	0:00	Giuliani, Rudy	White House Switchboard (Situation Room)

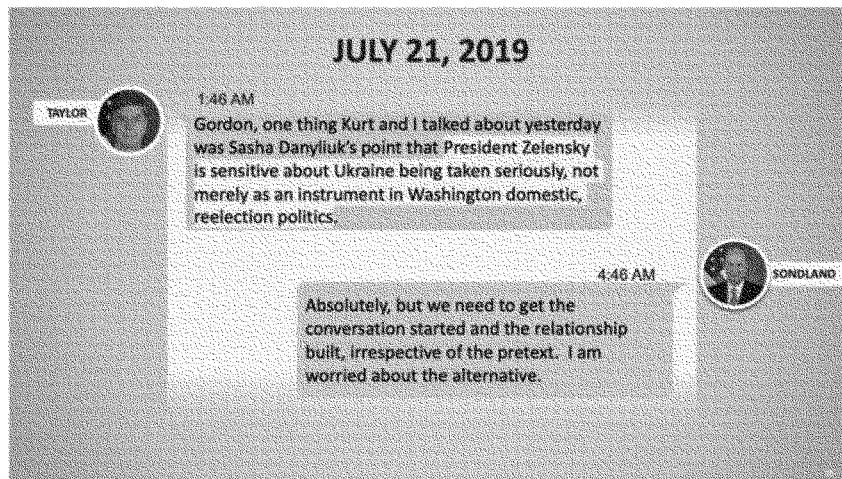
**SLIDE 339.** S. Doc. 116–18 Vol. II, Pg. 943; 166 Cong. Rec. S515

EVENING OF AUGUST 8, 2019				
Date	Connecting Time (ET)	Duration of Call	Caller	Recipient
08/08/19	20:53:13	TEXT	Giuliani, Rudy	White House Number
08/08/19	22:09:31	0:00	"-1"	Giuliani, Rudy
08/08/19	22:09:32	0:05	"-1"	Giuliani, Rudy
08/08/19	22:09:46	0:00	"-1"	Giuliani, Rudy (Cell 2)
08/08/19	22:09:47	0:02	"-1"	Giuliani, Rudy (Cell 2)
08/08/19	22:10:08	0:05	"-1"	Giuliani, Rudy
08/08/19	22:11:52	0:00	Giuliani, Rudy	OMB Number
08/08/19	22:12:16	0:00	Giuliani, Rudy	White House Switchboard (Situation Room)
08/08/19	22:12:25	0:47	Giuliani, Rudy	White House Switchboard
08/08/19	22:28:51	4:06	"-1"	Giuliani, Rudy

**SLIDE 340.** S. Doc. 116–18 Vol. II, Pg. 943; 166 Cong. Rec. S516

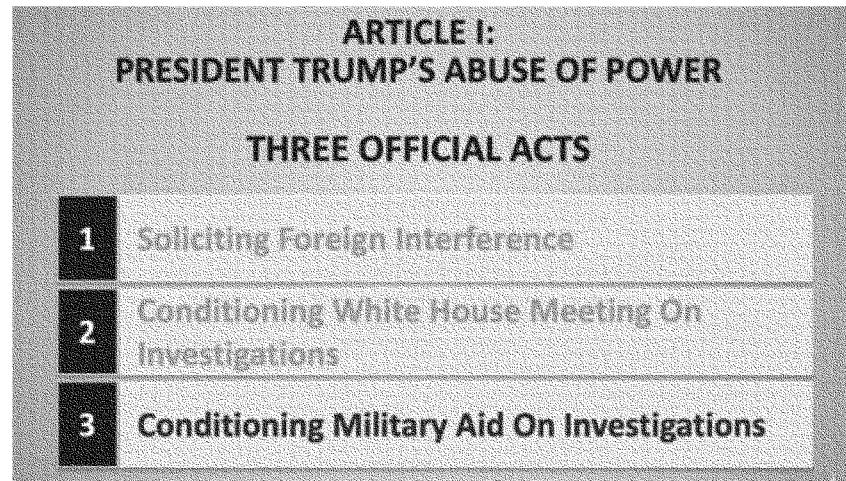
**SLIDE 341.** S. Doc. 116–18 Vol. II, Pg. 944; 166 Cong. Rec. S516**SLIDE 342.** S. Doc. 116–18 Vol. II, Pg. 944; 166 Cong. Rec. S516

**SLIDE 343.** S. Doc. 116–18 Vol. II, Pg. 944; 166 Cong. Rec. S516**SLIDE 344.** S. Doc. 116–18 Vol. II, Pg. 944; 166 Cong. Rec. S516

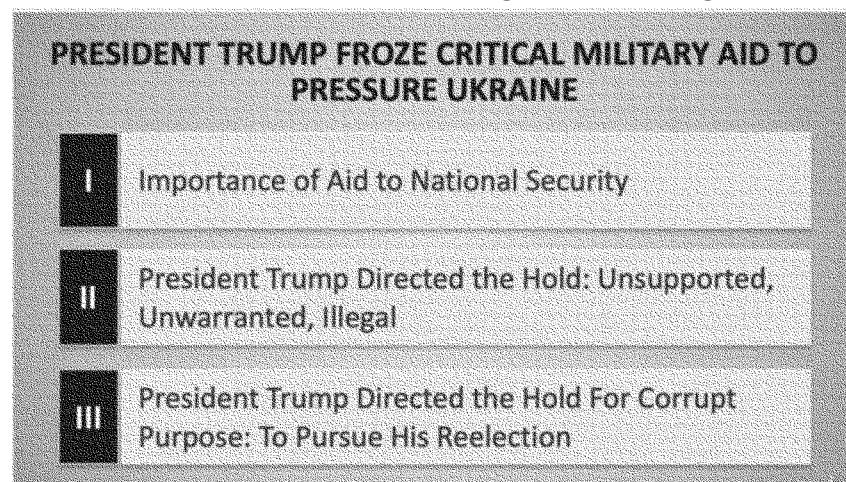
**SLIDE 345.** S. Doc. 116–18 Vol. II, Pg. 950; 166 Cong. Rec. S518**SLIDE 346.** S. Doc. 116–18 Vol. II, Pg. 950; 166 Cong. Rec. S518

The image shows a screenshot of a deposition transcript. At the top center, it says "UKRAINE'S REACTION CONFIRMS MISCONDUCT". Below that, in a dark bar, it says "Deputy Assistant Secretary Kent Deposition". The transcript starts with Kent's statement: "I had a conversation with Charge Taylor in which he ... indicated that Special Representative Volker had been engaging Andriy Yermak; that the President and his private attorney Rudy Giuliani, were interested in the initiation of investigations and that Yermak was very uncomfortable when this was raised with him, and suggested that if that were the case, if that were really the position of the United States, it should be done officially and put in writing, ... And I told Bill Taylor, that's wrong, and we shouldn't be doing that as a matter of U.S. policy." Goldman then asks, "What did he say?" and Kent responds, "He said he agreed with me."

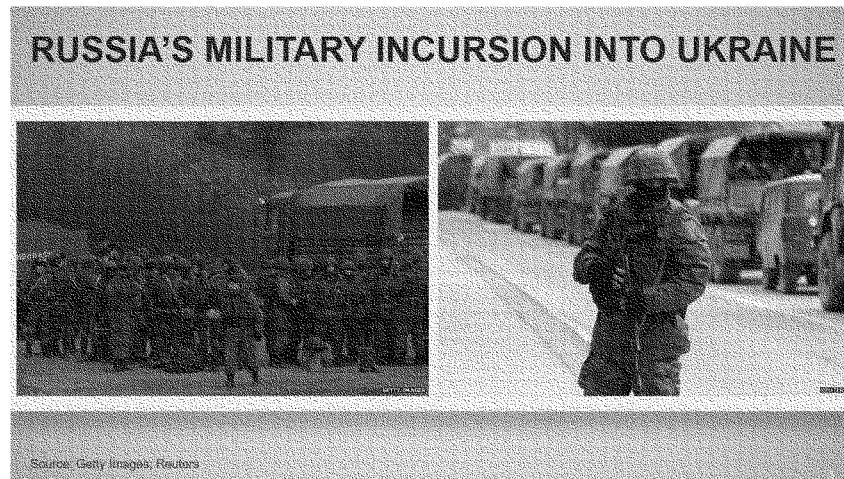
**SLIDE 347.** S. Doc. 116–18 Vol. II, Pg. 952; 166 Cong. Rec. S519



**SLIDE 348.** S. Doc. 116–18 Vol. II, Pg. 953; 166 Cong. Rec. S519



**SLIDE 349.** S. Doc. 116–18 Vol. II, Pg. 953; 166 Cong. Rec. S519



**SLIDE 350.** S. Doc. 116–18 Vol. II, Pg. 953; 166 Cong. Rec. S519



**SLIDE 351.** S. Doc. 116–18 Vol. II, Pg. 953; 166 Cong. Rec. S519**U.S., EUROPEAN, AND CANADIAN  
AID TO UKRAINE**

- ▶ U.S.: \$1.5 billion in security assistance and \$1.5 billion in non-military assistance
- ▶ EU: ~15B Euros (approx. \$16.4B) in development, economic, and humanitarian assistance
- ▶ NATO: ~40M Euros (approx. \$44M) in security assistance
- ▶ Bilateral aid:
  - Germany: \$860 million
  - Canada: \$573 million
  - UK: \$115 million
  - France: \$68 million

**SLIDE 352.** S. Doc. 116–18 Vol. II, Pg. 955; 166 Cong. Rec. S520**CONGRESS AUTHORIZED \$391 MILLION IN SECURITY  
ASSISTANCE TO UKRAINE FOR FY2019****Department of Defense**

\$250,000,000

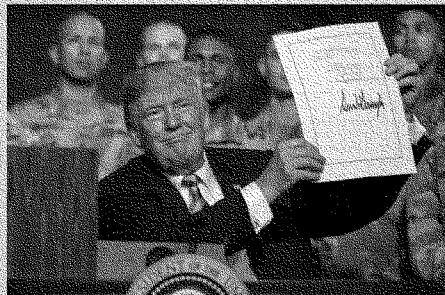
**Department of State**

\$141,000,000\*

\*The total amount of Congressionally authorized security assistance to Ukraine for FY2019 is \$391 million. The other \$250 million was FY2018 funding that carried over.

**SLIDE 353.** S. Doc. 116–18 Vol. II, Pg. 955; 166 Cong. Rec. S520

**PRESIDENT TRUMP SIGNS BILL AUTHORIZING  
AID TO UKRAINE FOR FY2019**



**SLIDE 354.** S. Doc. 116–18 Vol. II, Pg. 955; 166 Cong. Rec. S520

**JUNE 18 DOD PRESS RELEASE**

**IMMEDIATE RELEASE**

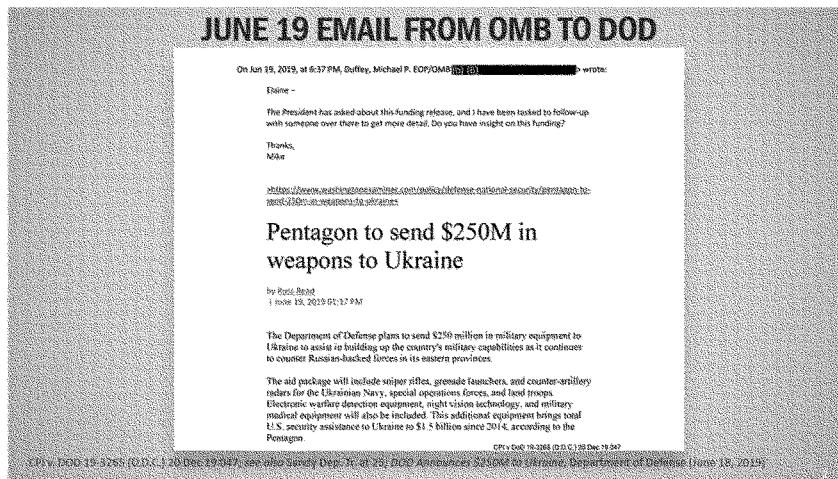
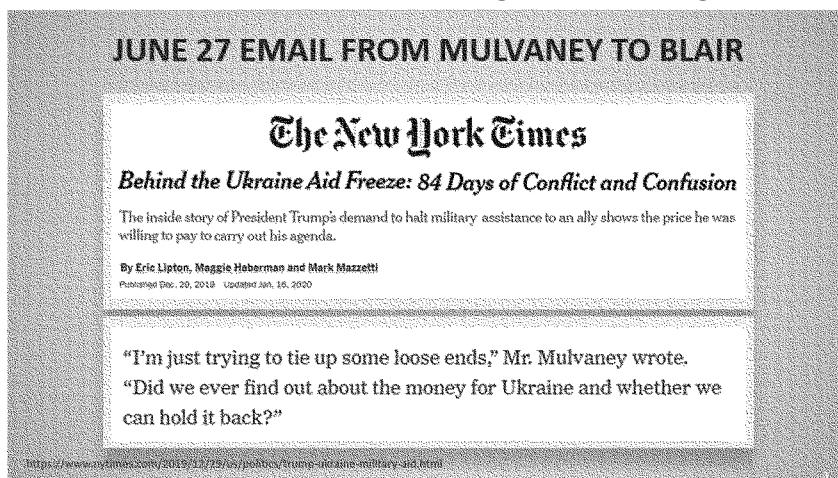
**DOD Announces \$250M to Ukraine**

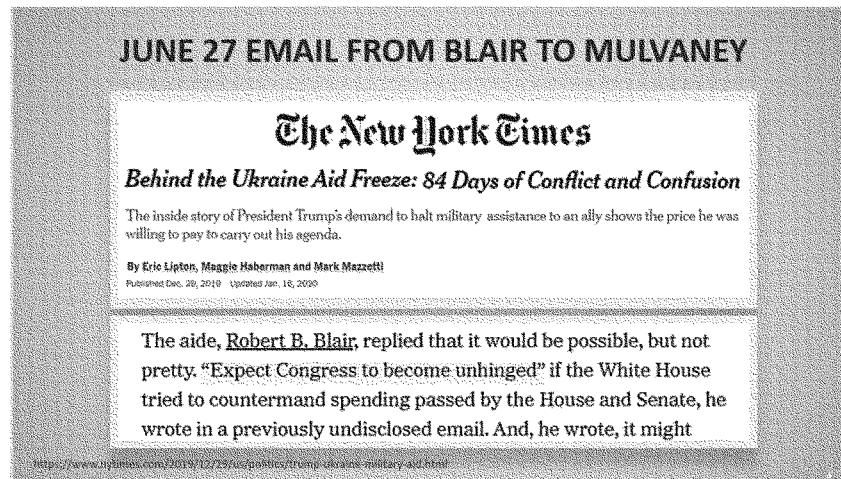
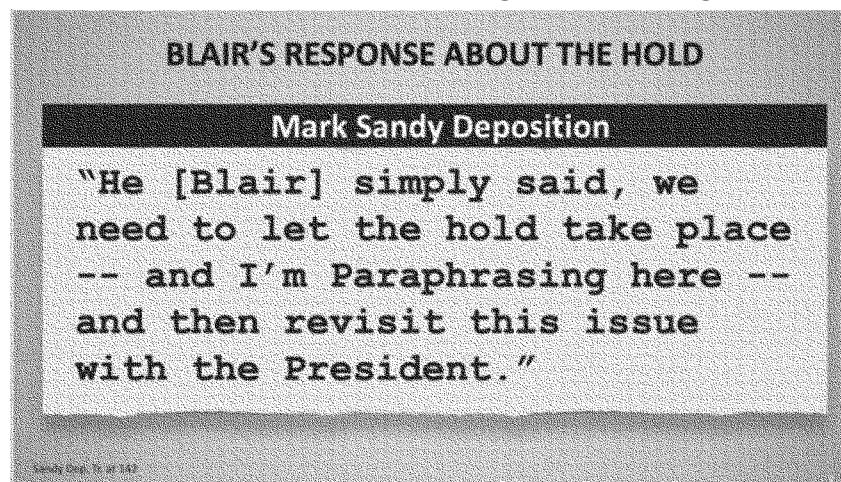
**JUNE 18, 2019**

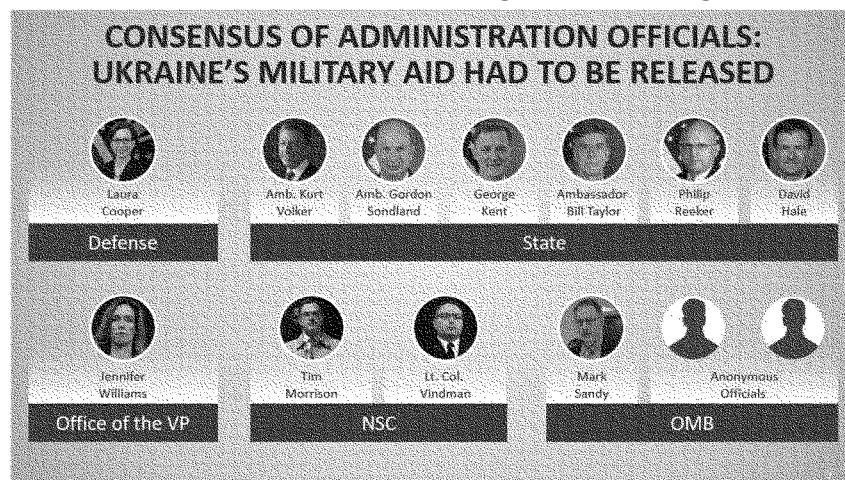
The Department of Defense announced today plans to provide \$250 million to Ukraine in security cooperation funds for additional training, equipment, and advisory efforts to build the capacity of Ukraine's armed forces.

This reaffirms the long-standing defense relationship between the United States and Ukraine and will bring total U.S. security assistance to Ukraine to \$1.5 billion since 2014.

<https://www.defense.gov/Newsroom/Releases/Release/Article/1879340/dod-announces-250m-to-ukraine>

**SLIDE 355.** S. Doc. 116–18 Vol. II, Pg. 956; 166 Cong. Rec. S520**SLIDE 356.** S. Doc. 116–18 Vol. II, Pg. 956; 166 Cong. Rec. S521

**SLIDE 357.** S. Doc. 116–18 Vol. II, Pg. 956; 166 Cong. Rec. S521**SLIDE 358.** S. Doc. 116–18 Vol. II, Pg. 957; 166 Cong. Rec. S521

**SLIDE 359.** S. Doc. 116–18 Vol. II, Pg. 958; 166 Cong. Rec. S521**SLIDE 360.** S. Doc. 116–18 Vol. II, Pg. 959; 166 Cong. Rec. S521

**SLIDE 361.** S. Doc. 116–18 Vol. II, Pg. 959; 166 Cong. Rec. S521

**THE INTERAGENCY UNANIMOUSLY SUPPORTED AID**

**Timothy Morrison Testimony**

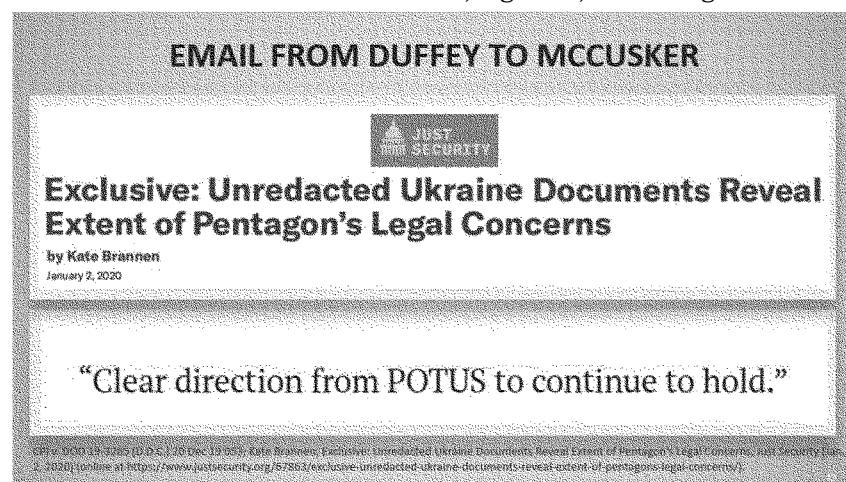
“all represented to Ambassador Bolton that **they were prepared to tell the President they endorsed the swift release and disbursement of the funding.**”

Morrison Dep. Tr. at 265-266 (emphasis added).

**SLIDE 362.** S. Doc. 116–18 Vol. II, Pg. 959; 166 Cong. Rec. S521

**PRESIDENT TRUMP PROVIDES NO EXPLANATION FOR FREEZE ON MILITARY AID**

 <b>CROFT</b>	<p>“[T]he only reason given was that the order came at the direction of the President.”</p>
 <b>HOLMES</b>	<p>“[T]he order had come from the President ... without further explanation.”</p>
 <b>KENT</b>	<p>“I do not recall any coherent explanation.”</p>
 <b>SONLAND</b>	<p>“I was never given a straight answer as to why it had been put in place to begin with.”</p>
 <b>HILL</b>	<p>“No, there was no reason given.”</p>
 <b>SEN. MCCONNELL</b>	<p>“I was not given an explanation” for the hold</p>

**SLIDE 363.** S. Doc. 116–18 Vol. II, Pg. 959; 166 Cong. Rec. S522**SLIDE 364.** S. Doc. 116–18 Vol. II, Pg. 960; 166 Cong. Rec. S522

**SLIDE 365.** S. Doc. 116–18 Vol. II, Pg. 960; 166 Cong. Rec. S522

**NO REASON GIVEN FOR THE PRESIDENT'S HOLD**

**Mark Sandy Deposition**

**Q:** Can you recall another time in your duties at the Office of Management and Budget where a significant amount of assistance was being held up and you didn't have a rationale for as long as you didn't have a rationale in this case?

**SANDY:** Not that I can recall.

Sandy Dep. Tr. at 40

**SLIDE 366.** S. Doc. 116–18 Vol. II, Pg. 961; 166 Cong. Rec. S523

**THE GAO FOUND THAT PRESIDENT TRUMP VIOLATED THE LAW**

**GAO** U.S. GOVERNMENT ACCOUNTABILITY OFFICE  
441 G St. N.W.  
Washington, DC 20548

**Decision**

Matter of: Office of Management and Budget—Withholding of Ukraine Security Assistance

File: B-331564

Date: January 16, 2020

The Constitution grants the President no unilateral authority to withhold funds from obligation. See B-135564, July 26, 1973. Instead, Congress has vested the President with strictly circumscribed authority to impound, or withhold, budget authority only in limited circumstances as expressly provided in the ICA. See

**SLIDE 367.** S. Doc. 116–18 Vol. II, Pg. 961; 166 Cong. Rec. S523

**THE GAO FOUND THAT PRESIDENT TRUMP VIOLATED  
THE LAW**

**GAO** U.S. GOVERNMENT ACCOUNTABILITY OFFICE  
641 G St. N.W.  
Washington, DC 20548

**Decision**

Matter of: Office of Management and Budget—Withholding of Ukraine Security Assistance

File: B-331564

Date: January 16, 2020

“Faithful execution of the law does not permit the President to substitute his own policy priorities for those that Congress has enacted into law. OMB withheld funds for a policy reason, which is not permitted under the Impoundment Control Act (ICA). The withholding was not a programmatic delay. Therefore, we conclude that OMB violated the ICA.”

**SLIDE 368.** S. Doc. 116–18 Vol. II, Pg. 962; 166 Cong. Rec. S523

**THE GAO FOUND THAT PRESIDENT TRUMP VIOLATED  
THE LAW AND LIED ABOUT IT**

**GAO** U.S. GOVERNMENT ACCOUNTABILITY OFFICE  
641 G St. N.W.  
Washington, DC 20548

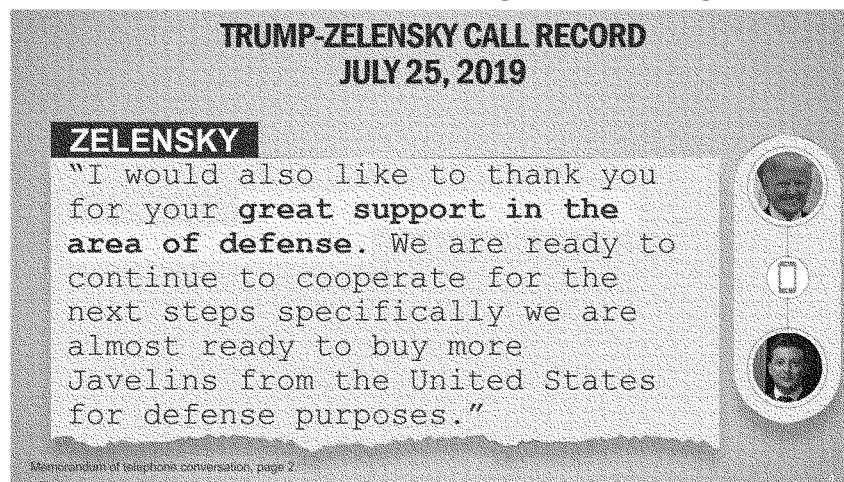
**Decision**

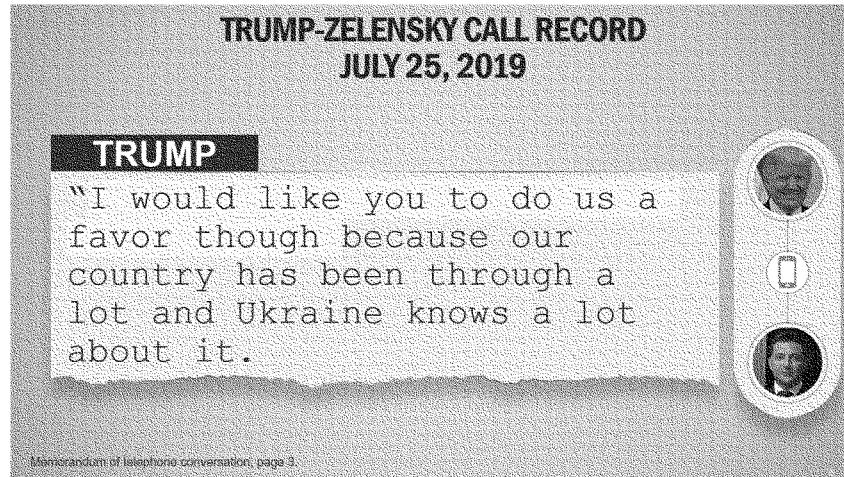
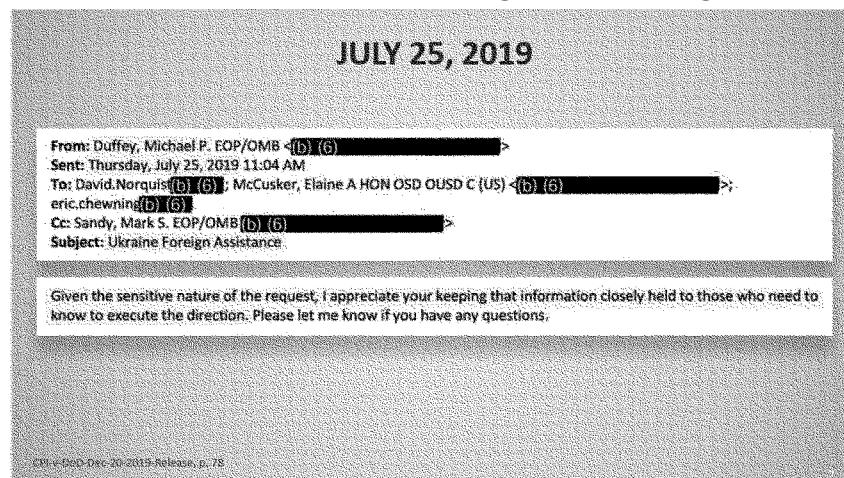
Matter of: Office of Management and Budget—Withholding of Ukraine Security Assistance

File: B-331564

Date: January 16, 2020

“Amounts apportioned, but not yet obligated as of the date of this reapportionment, for the Ukraine Security Assistance Initiative (Initiative) are not available for obligation until August 5, 2019, to allow for an interagency process to determine the best use of such funds.”

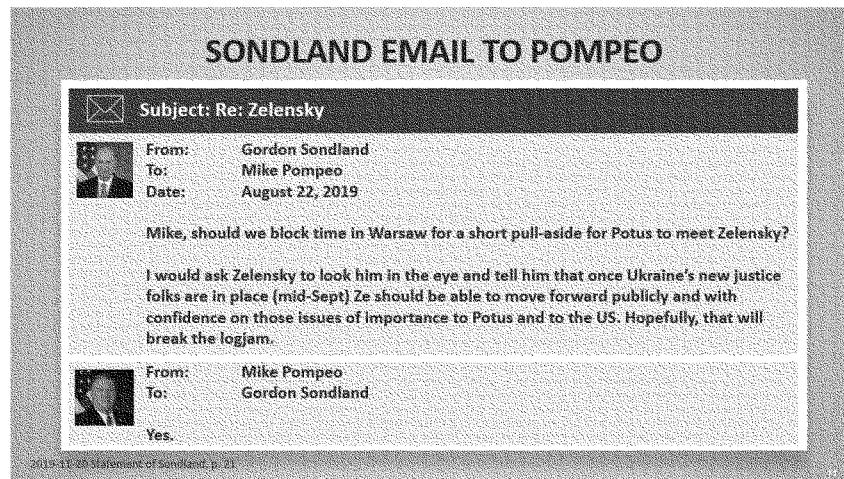
**SLIDE 369.** S. Doc. 116–18 Vol. II, Pg. 964; 166 Cong. Rec. S523**SLIDE 370.** S. Doc. 116–18 Vol. II, Pg. 964; 166 Cong. Rec. S524

**SLIDE 371.** S. Doc. 116–18 Vol. II, Pg. 964; 166 Cong. Rec. S524**SLIDE 372.** S. Doc. 116–18 Vol. II, Pg. 965; 166 Cong. Rec. S524

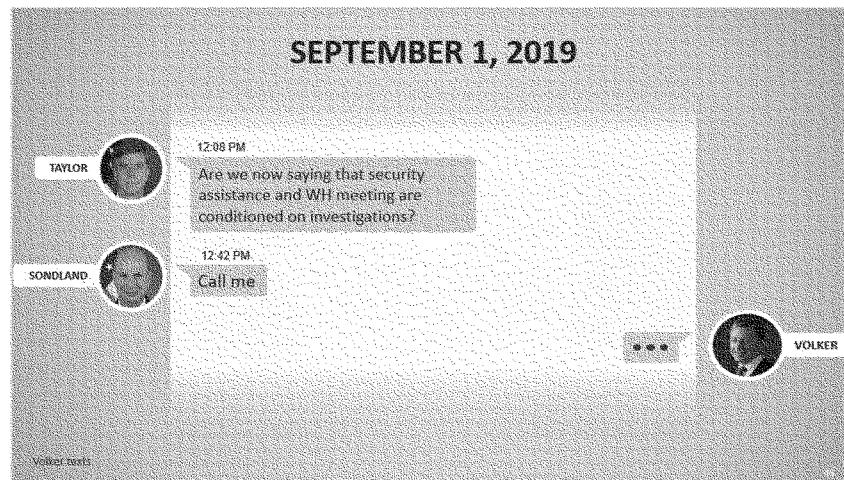
JANUARY 23, 2020

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**SLIDE 373.** S. Doc. 116–18 Vol. II, Pg. 966; 166 Cong. Rec. S524



**SLIDE 374.** S. Doc. 116–18 Vol. II, Pg. 968; 166 Cong. Rec. S525

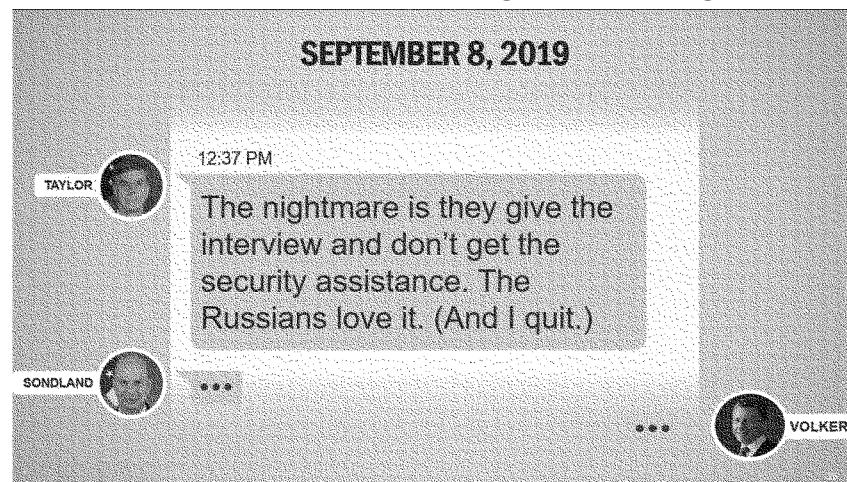


**SLIDE 375.** S. Doc. 116–18 Vol. II, Pg. 971; 166 Cong. Rec. S526

**4 SOURCES CONFIRMING SEPT 7 CALL  
WITH AMB SONDLAND AND THE PRESIDENT**

1. **Amb. Sondland:** Ambiguous, No Notes
2. **Mr. Morrison:** Received Readout From Sondland, Took Notes
3. **Amb. Taylor:** Received Readouts From Morrison (Sept 7) And Sondland (Sept 8), Took Notes
4. **Ambs. Sondland and Taylor:** Sondland's Conversation With President Zelensky, Explaining Conversation With The President

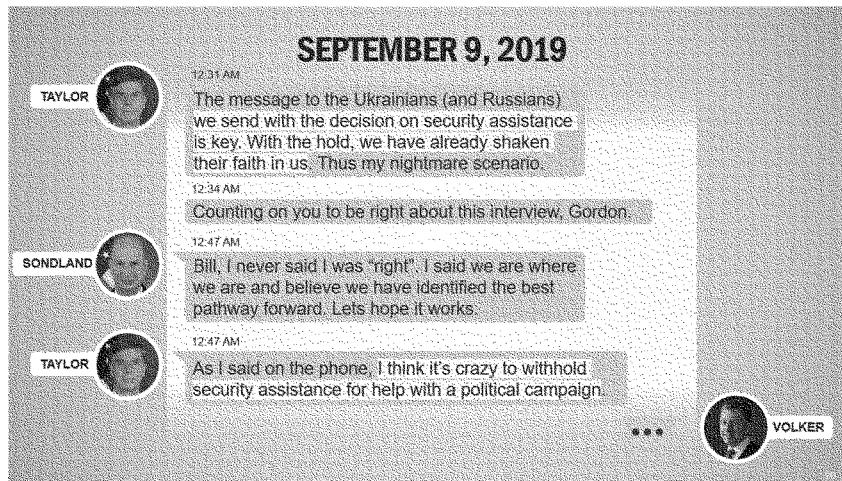
**SLIDE 376.** S. Doc. 116–18 Vol. II, Pg. 971; 166 Cong. Rec. S526



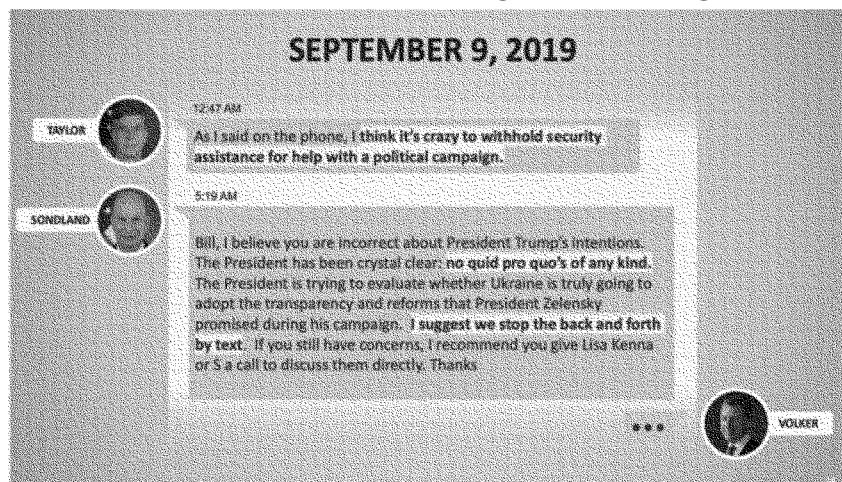
JANUARY 23, 2020

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**SLIDE 377.** S. Doc. 116–18 Vol. II, Pg. 972; 166 Cong. Rec. S526



**SLIDE 378.** S. Doc. 116–18 Vol. II, Pg. 973; 166 Cong. Rec. S527





SLIDES 379–480

[166 CONG. REC. S531–559 (DAILY ED. JAN. 24, 2020)]

**SLIDE 379.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S531

**PRESIDENT TRUMP'S CORRUPT INTENT:  
POLITICALLY MOTIVATED INVESTIGATIONS**

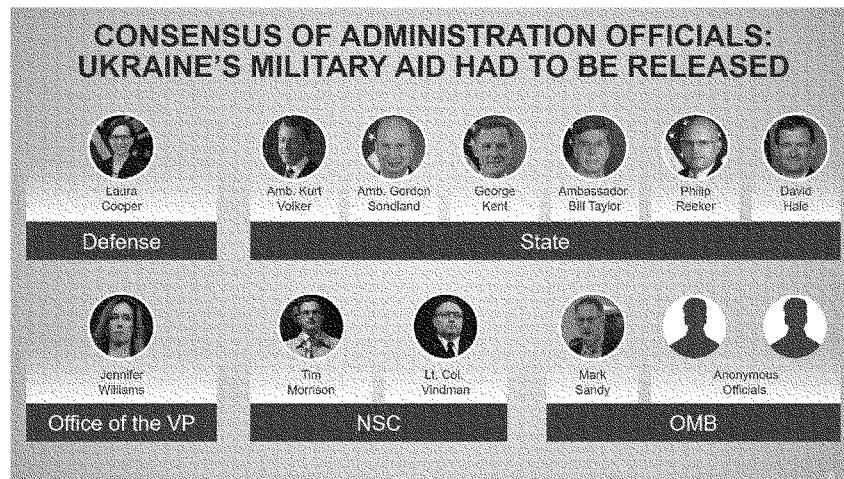
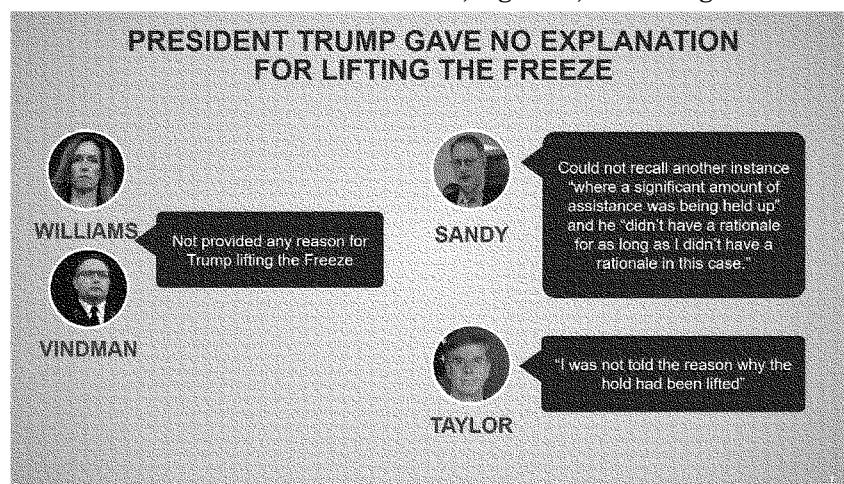
- 1** The July 25 Call
- 2** Confirmed By Multiple U.S. Officials
- 3** Hold Was Lifted Only After Scheme Was Exposed
- 4** No Other Legitimate Explanation
- 5** Chief of Staff Confessed: "Why We Held Up the Money"

**SLIDE 380.** S. Doc. 116–18 Vol. II, Pg. 982/982; 166 Cong. Rec. S531/S531

**PRESIDENT TRUMP RELEASED AID ONLY  
AFTER HIS SCHEME IS EXPOSED**

- |                 |  |
|-----------------|--|
| <b>Aug. 26</b>  | Whistleblower Complaint Transmitted To DNI                                   |
| <b>Sept. 5</b>  | <b>WashPo:</b> "Trump Tries To Force Ukraine To Meddle In The 2020 Election" |
| <b>Sept. 9</b>  | House Announces Ukraine Investigation  |
| <b>Sept. 11</b> | President Trump Releases Military Aid  |

**SLIDE 381.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S531**SLIDE 382.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S532

**SLIDE 383.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S532**SLIDE 384.** S. Doc. 116–18 Vol. II, Pg. 982; 166 Cong. Rec. S532

**SLIDE 385.** S. Doc. 116–18 Vol. II, Pg. 983; 166 Cong. Rec. S532**SLIDE 386.** S. Doc. 116–18 Vol. II, Pg. 984; 166 Cong. Rec. S532

**SLIDE 387.** S. Doc. 116–18 Vol. II, Pg. 985; 166 Cong. Rec. S533

**Bogus Explanation**

**Concerned About Burden-Sharing with Europe**

- ▶ EU Single Largest Contributor To Ukraine: €15 Billion
- ▶ Never Mentioned Burden Sharing In July Or August
- ▶ The President *Never Asked* EU Ambassador To Discuss Burden Sharing
- ▶ The President *Told* EU Ambassador That Aid Linked To Investigations
- ▶ Released Aid Without Further Contribution By Europe

**SLIDE 388.** S. Doc. 116–18 Vol. II, Pg. 986; 166 Cong. Rec. S533

**Article I:**  
**President Trump's Abuse of Power**

- 1** Covertly Ordered Call With Ukraine  
Political Interrogation To Benefit Rep candidate
- 2** Threat Of Impeachment
- 3** Attempted Cover-Up & Exposure
- 4** Injury To Our Nation & Continuing Threat

**SLIDE 389.** S. Doc. 116–18 Vol. II, Pg. 987; 166 Cong. Rec. S533

**EISENBERG CONCERNED ABOUT  
JULY 10 MEETING**



**Fiona Hill Testimony**

**Q:** What was Mr. Eisenberg's reaction to what you explained to him had and Mr. Griffith had explained to him had occurred the day before?

**HILL:** Yeah. He was also concerned. I mean, he wasn't aware that Sondland, Ambassador Sondland was... kind of running around doing a lot of these... meetings and independently. We talked about the fact that Ambassador Sondland said he'd been meeting with Giuliani and he was very concerned about that. And he said he would follow up on this.

**SLIDE 390.** S. Doc. 116–18 Vol. II, Pg. 989; 166 Cong. Rec. S534

**TESTIMONY OF MR. MORRISON**



**Morrison Testimony**

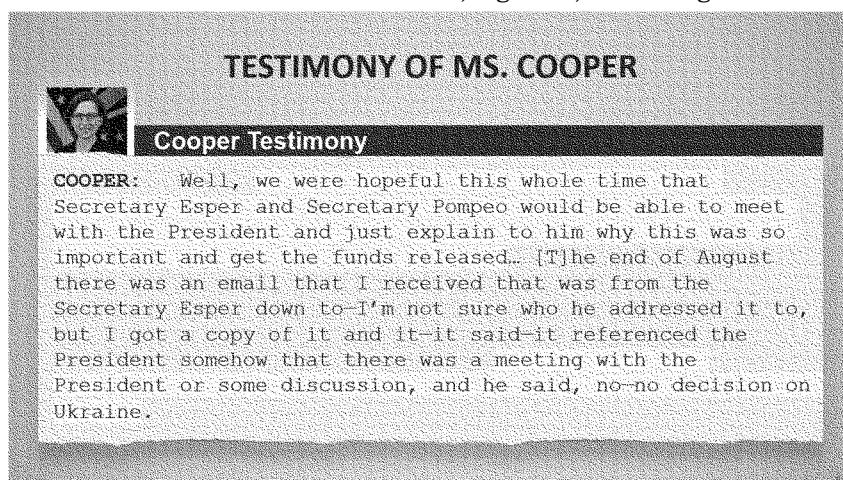
**Q:** You said earlier that he indicated that the transfer of the MEMCON to the highly classified system was a mistake. Do you know if it was taken off of that system after that discussion you had with him?

**MORRISON:** As of the third week of September, it was not—it had not been taken off.

**Q:** Do you know why?

**MORRISON:** No.

**SLIDE 391.** S. Doc. 116–18 Vol. II, Pg. 990; 166 Cong. Rec. S534**SLIDE 392.** S. Doc. 116–18 Vol. II, Pg. 991; 166 Cong. Rec. S535

**SLIDE 393.** S. Doc. 116–18 Vol. II, Pg. 992; 166 Cong. Rec. S535**SLIDE 394.** S. Doc. 116–18 Vol. II, Pg. 992; 166 Cong. Rec. S536

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**SLIDE 395.** S. Doc. 116–18 Vol. II, Pg. 994; 166 Cong. Rec. S536

## SENATORS EXPRESS CONCERNS TO MULVANEY

United States Senate  
WASHINGTON, DC 20510

September 3, 2019

Dear Director Mulvaney:

As members of the bi-partisan Ukraine Caucus we write to express our deep concerns of reports that the Administration is considering not obligating the Ukraine Security Initiative funds for 2019.

**SLIDE 396.** S. Doc. 116–18 Vol. II, Pg. 994; 166 Cong. Rec. S536

## HOUSE FOREIGN AFFAIRS COMMITTEE EXPRESSES CONCERN TO MULVANEY

ELIOT L. ENGEL, NEW YORK,  
Chairman

JASON SMITH,

STAFF DIRECTOR



One Hundred Sixteenth Congress  
U.S. House of Representatives  
Committee on Foreign Affairs  
2170 Rayburn House Office Building  
Washington, DC 20515  
[www.foreignaffairs.house.gov](http://www.foreignaffairs.house.gov)

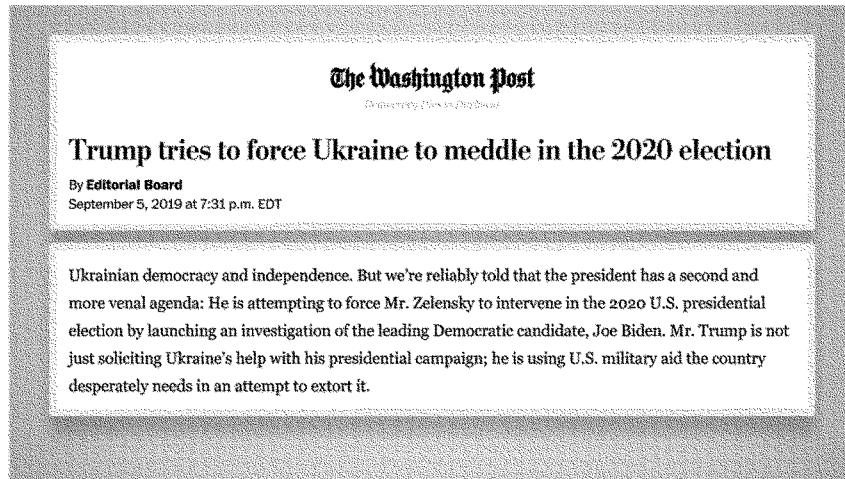
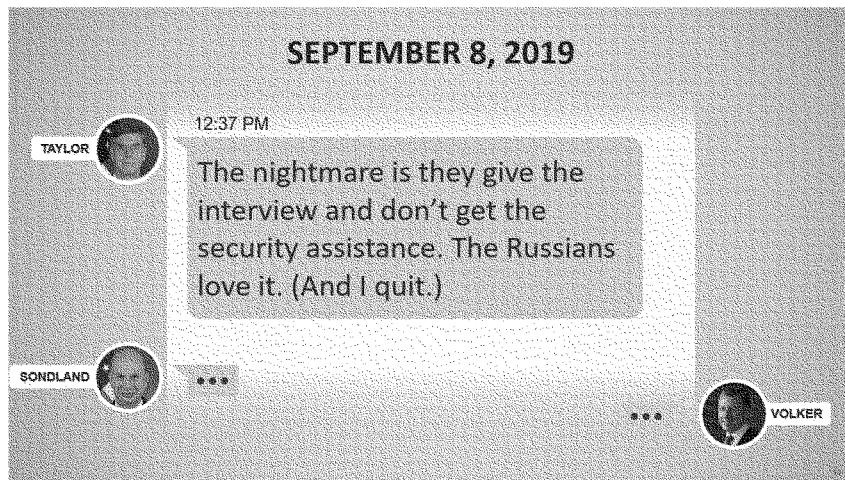
MICHAEL T. McCaul, TEXAS,  
Ranking Republican Member

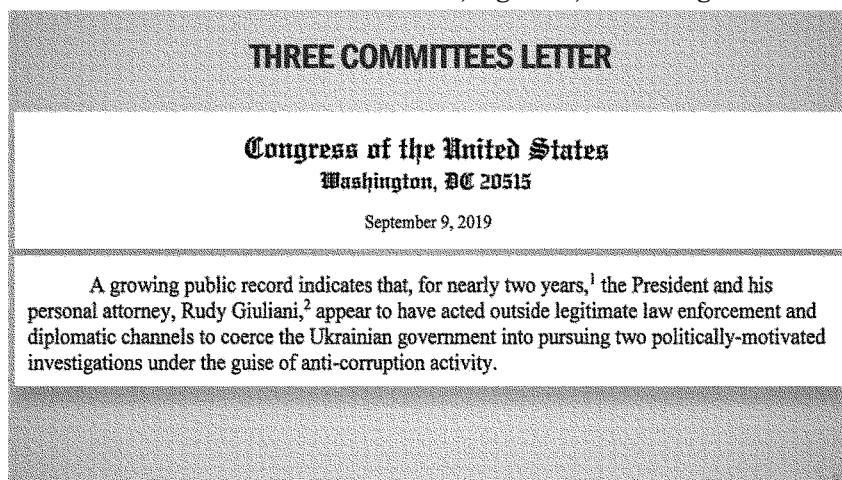
REEDRICK P. SMITH,

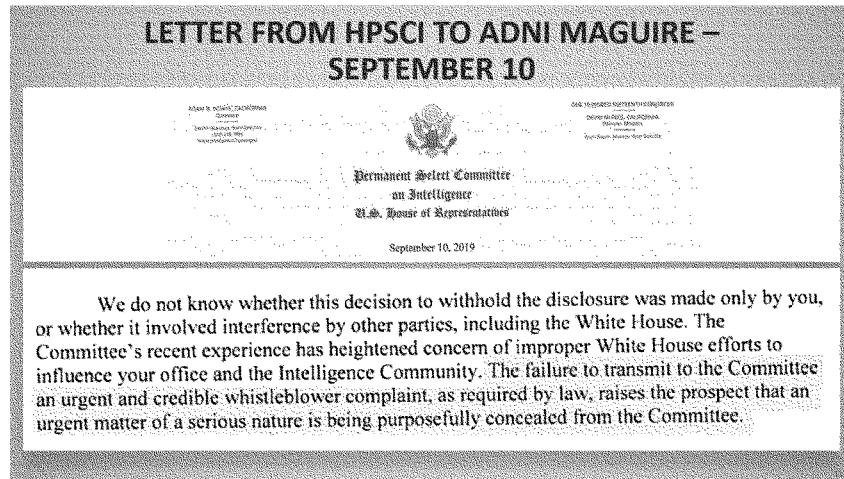
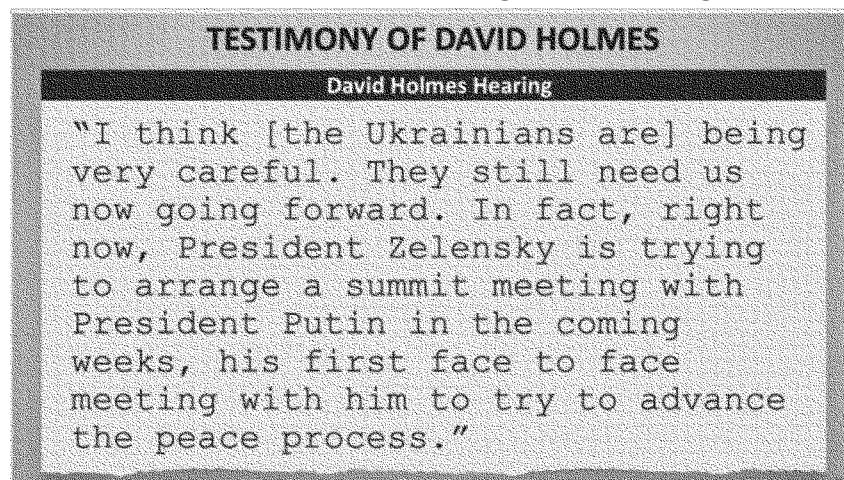
Ranking Staff Director

Dear Director Mulvaney and Acting Director Vought:

We write to express our deep concern regarding reports that the Office of Management and Budget is holding up significant security assistance funding in support of Ukraine's defense.

**SLIDE 397.** S. Doc. 116–18 Vol. II, Pg. 994; 166 Cong. Rec. S536**SLIDE 398.** S. Doc. 116–18 Vol. II, Pg. 995; 166 Cong. Rec. S537

**SLIDE 399.** S. Doc. 116–18 Vol. II, Pg. 996; 166 Cong. Rec. S537**SLIDE 400.** S. Doc. 116–18 Vol. II, Pg. 996; 166 Cong. Rec. S537

**SLIDE 401.** S. Doc. 116–18 Vol. II, Pg. 996; 166 Cong. Rec. S537**SLIDE 402.** S. Doc. 116–18 Vol. II, Pg. 998; 166 Cong. Rec. S538

**SLIDE 403.** S. Doc. 116–18 Vol. II, Pg. 998; 166 Cong. Rec. S538

**TESTIMONY OF DAVID HOLMES**

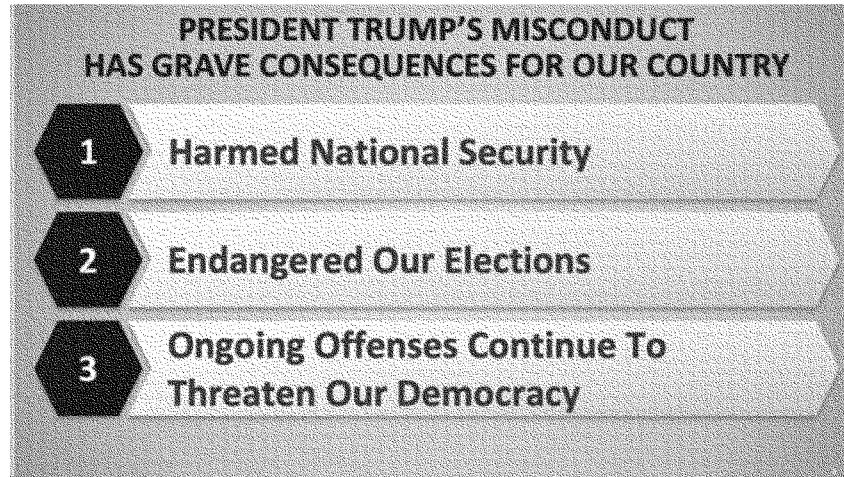
**David Holmes Hearing**

"He needs our support. He needs – he needs President Putin to understand that America supports Zelensky at the highest levels. So this-this is-doesn't end with the lifting of the security assistance hold. Ukraine still needs us, and as I said, still fighting this war this very day"

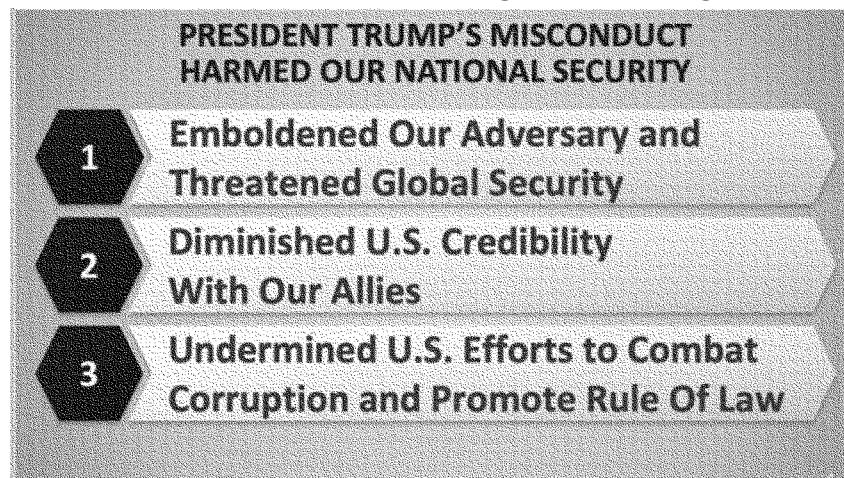
**SLIDE 404.** S. Doc. 116–18 Vol. II, Pg. 998; 166 Cong. Rec. S538

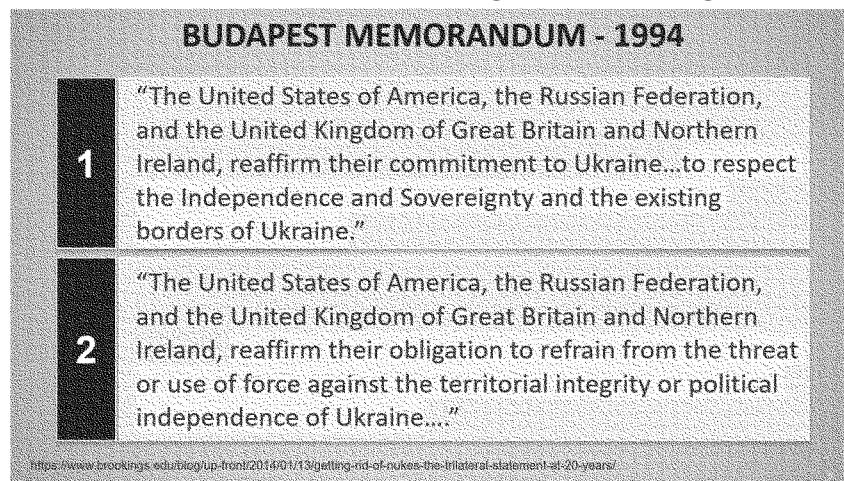
**PRESIDENT TRUMP'S MISCONDUCT  
HARMED OUR NATION**

**SLIDE 405.** S. Doc. 116–18 Vol. II, Pg. 999; 166 Cong. Rec. S538

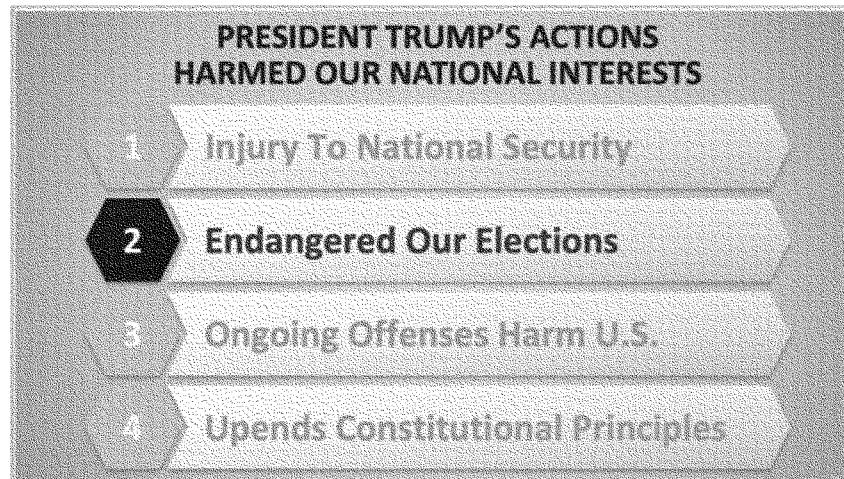


**SLIDE 406.** S. Doc. 116–18 Vol. II, Pg. 999; 166 Cong. Rec. S538



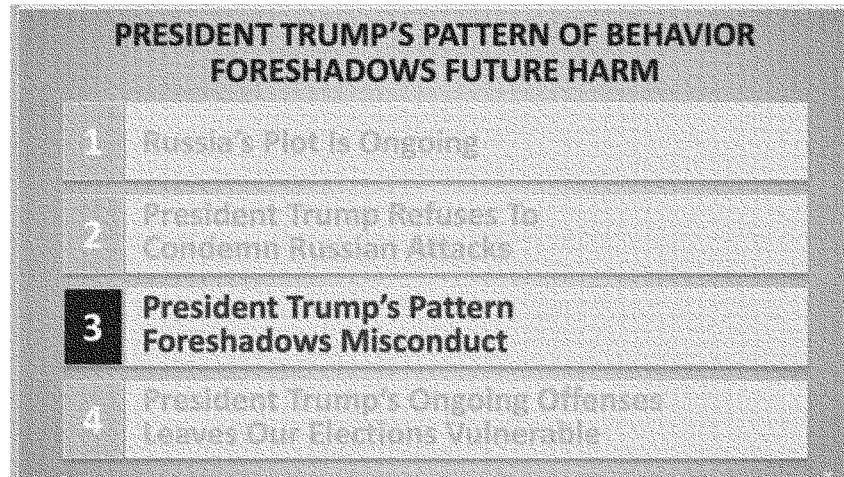
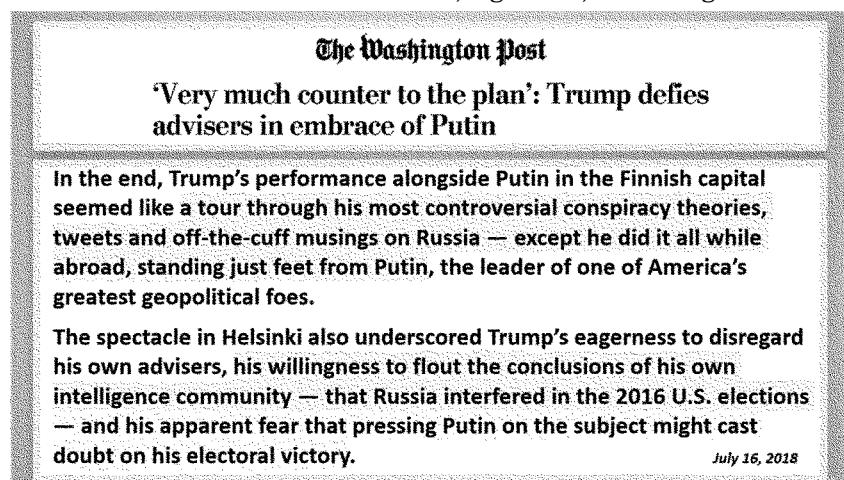
**SLIDE 407.** S. Doc. 116–18 Vol. II, Pg. 1000; 166 Cong. Rec. S538**SLIDE 408.** S. Doc. 116–18 Vol. II, Pg. 1001; 166 Cong. Rec. S539

**SLIDE 409.** S. Doc. 116–18 Vol. II, Pg. 1007; 166 Cong. Rec. S541



**SLIDE 410.** S. Doc. 116–18 Vol. II, Pg. 1008; 166 Cong. Rec. S542



**SLIDE 411.** S. Doc. 116–18 Vol. II, Pg. 1011; 166 Cong. Rec. S543**SLIDE 412.** S. Doc. 116–18 Vol. II, Pg. 1011; 166 Cong. Rec. S543

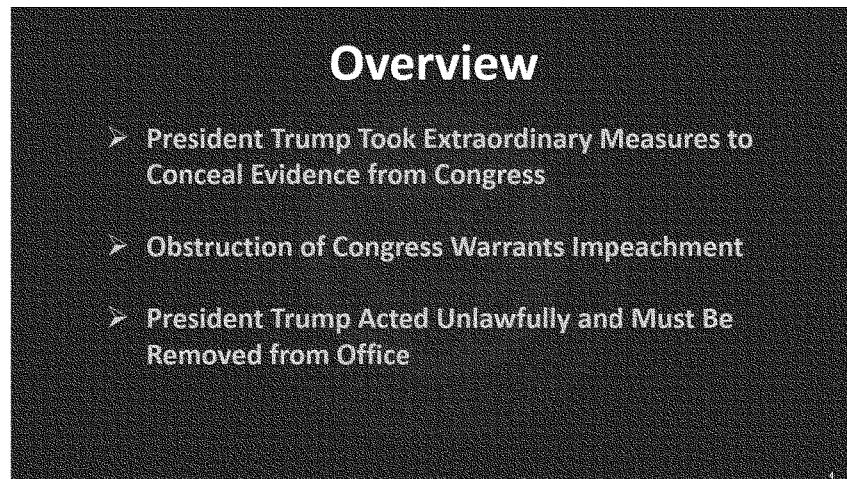
SLIDE 413. S. Doc. 116–18 Vol. II, Pg. 1015; 166 Cong. Rec. S544



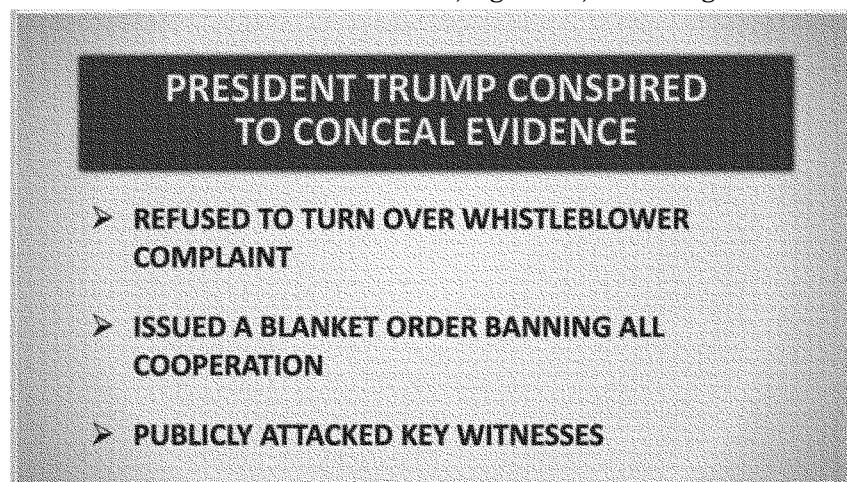
SLIDE 414. S. Doc. 116–18 Vol. II, Pg. 1016; 166 Cong. Rec. S545

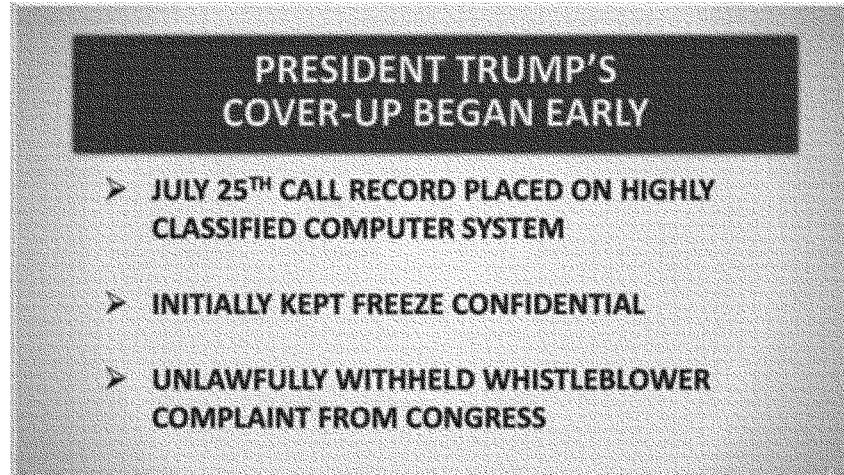
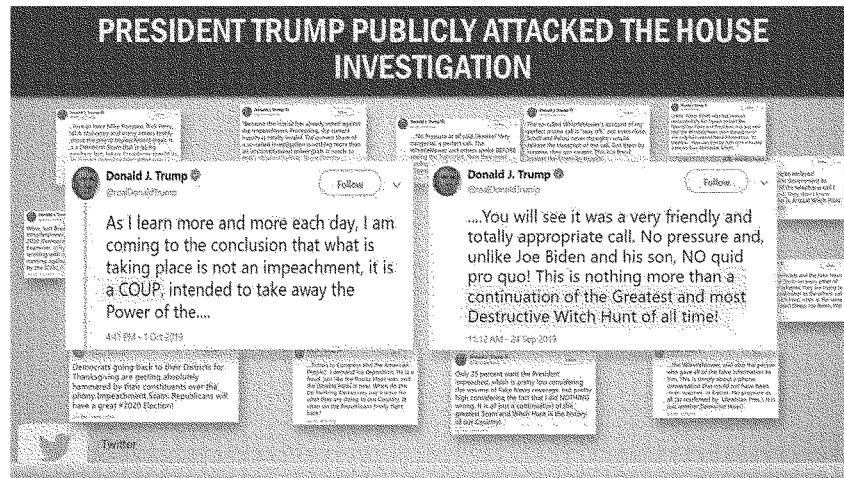


**SLIDE 415.** S. Doc. 116–18 Vol. II, Pg. 1018; 166 Cong. Rec. S545

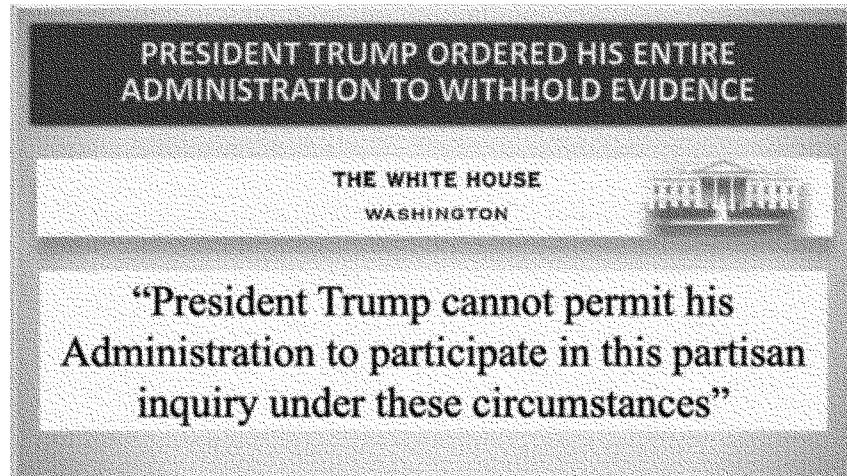


**SLIDE 416.** S. Doc. 116–18 Vol. II, Pg. 1018; 166 Cong. Rec. S546



**SLIDE 417.** S. Doc. 116–18 Vol. II, Pg. 1019; 166 Cong. Rec. S546**SLIDE 418.** S. Doc. 116–18 Vol. II, Pg. 1020; 166 Cong. Rec. S546

**SLIDE 419.** S. Doc. 116–18 Vol. II, Pg. 1020/1025; 166 Cong. Rec. S546/S548



**SLIDE 420.** S. Doc. 116–18 Vol. II, Pg. 1021; 166 Cong. Rec. S546

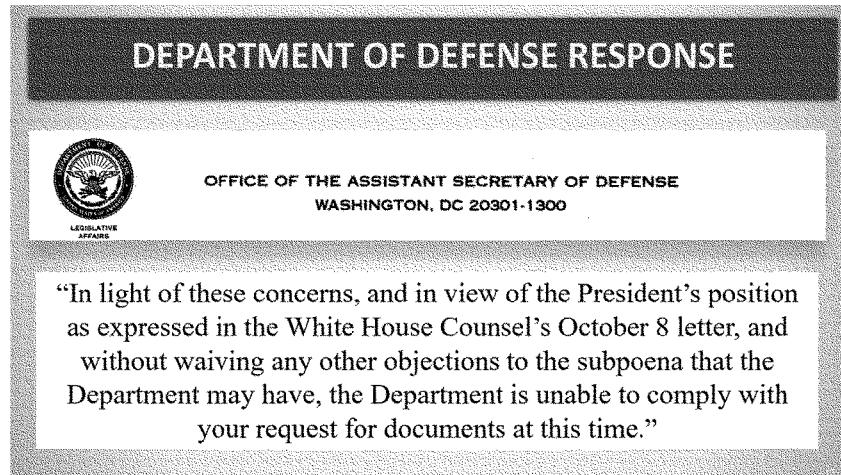


**SLIDE 421.** S. Doc. 116–18 Vol. II, Pg. 1021; 166 Cong. Rec. S547

<b>DULY AUTHORIZED SUBPOENAS</b>	
SEPT 27 <sup>th</sup>	DEPARTMENT OF STATE
OCT 4 <sup>th</sup>	THE WHITE HOUSE
OCT 7 <sup>th</sup>	OFFICE OF MANAGEMENT AND BUDGET
OCT 7 <sup>th</sup>	DEPARTMENT OF DEFENSE
OCT 10 <sup>th</sup>	DEPARTMENT OF ENERGY

**SLIDE 422.** S. Doc. 116–18 Vol. II, Pg. 1022; 166 Cong. Rec. S547

<b>DULY AUTHORIZED SUBPOENAS</b>		
SEPT 27 <sup>th</sup>	DEPARTMENT OF STATE	<u>NO DOCUMENTS</u>
OCT 4 <sup>th</sup>	THE WHITE HOUSE	<u>NO DOCUMENTS</u>
OCT 7 <sup>th</sup>	OFFICE OF MANAGEMENT AND BUDGET	<u>NO DOCUMENTS</u>
OCT 7 <sup>th</sup>	DEPARTMENT OF DEFENSE	<u>NO DOCUMENTS</u>
OCT 10 <sup>th</sup>	DEPARTMENT OF ENERGY	<u>NO DOCUMENTS</u>

**SLIDE 423.** S. Doc. 116–18 Vol. II, Pg. 1022; 166 Cong. Rec. S547**SLIDE 424.** S. Doc. 116–18 Vol. II, Pg. 1023; 166 Cong. Rec. S547

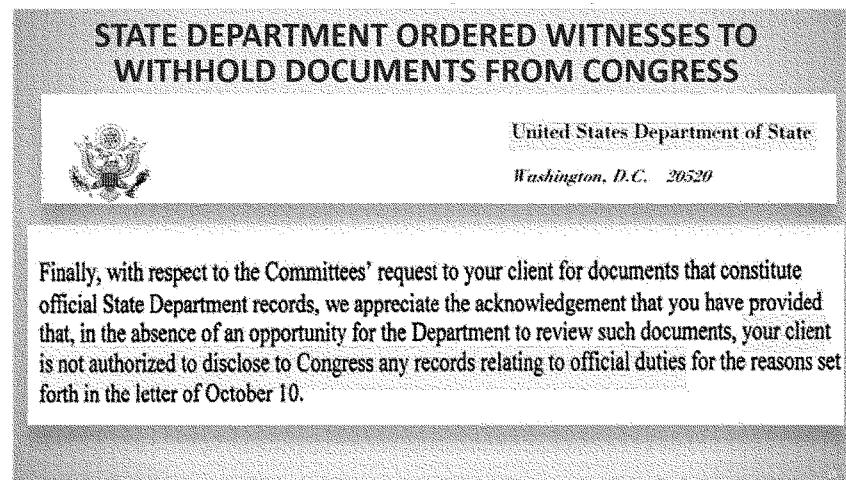
**STATE DEPARTMENT OFFICIAL DENIED SECRETARY POMPEO'S ALLEGATIONS**

**George Kent Deposition**

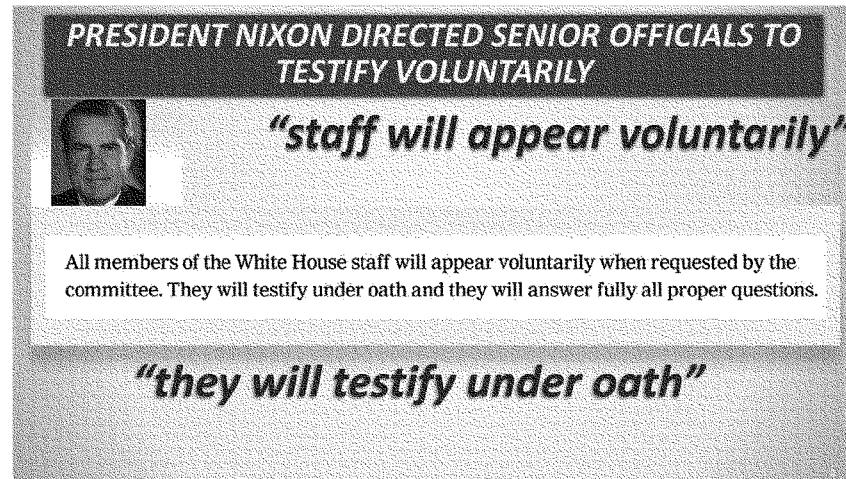
**A:** "Well, there was a line in there that the committees had been attempting to bully, intimidate, and threaten career foreign service officers. And I was one of two career foreign service officers which had received letters from the committees, and I had not felt bullied, threatened, and intimidated."

**A:** "I pointed out to him that I thought the language he had then drafted, since he said was the drafter, was inaccurate."

**SLIDE 425.** S. Doc. 116–18 Vol. II, Pg. 1023; 166 Cong. Rec. S547



**SLIDE 426.** S. Doc. 116–18 Vol. II, Pg. 1024; 166 Cong. Rec. S548



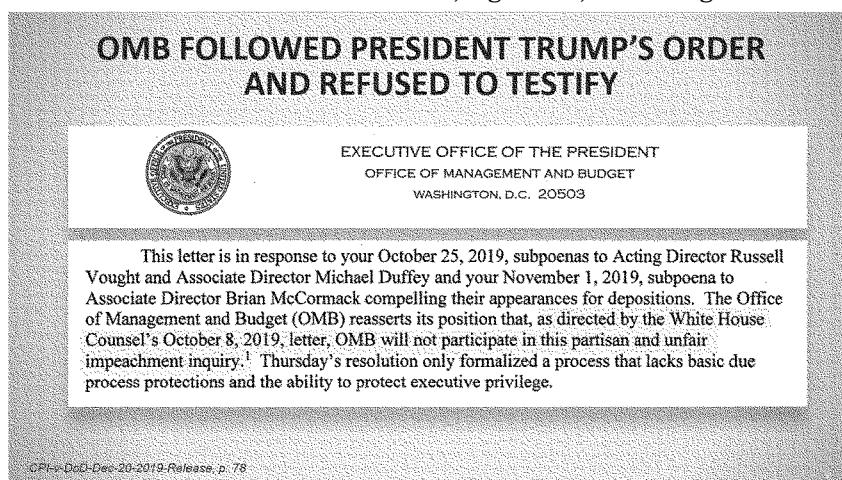
JANUARY 24, 2020

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**SLIDE 427.** S. Doc. 116–18 Vol. II, Pg. 1025; 166 Cong. Rec. S548



**SLIDE 428.** S. Doc. 116–18 Vol. II, Pg. 1025; 166 Cong. Rec. S548



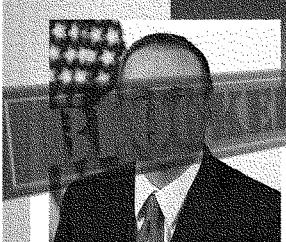
SLIDE 429. S. Doc. 116–18 Vol. II, Pg. 1025; 166 Cong. Rec. S548

## OMB ADMITTED KEY FACTS

- 1 *Oct. 8<sup>th</sup> letter was an official order from President Trump*
- 2 *President Trump's order applied to OMB and the three officials subpoenaed by the House*
- 3 *President Trump's order required officials to defy lawful subpoenas*
- 4 *President Trump's order directly prevented 3 OMB witnesses from testifying*

SLIDE 430. S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S548

## PRESIDENT TRUMP ORDERED HIS OWN CHIEF OF STAFF TO DEFY A LAWFUL SUBPOENA



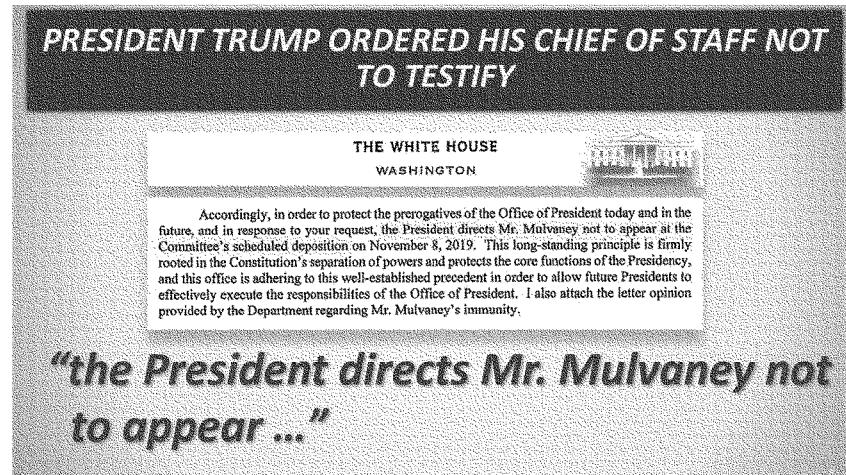
**Mick Mulvaney**

- ACTING WHITE HOUSE CHIEF OF STAFF
- ADMITTED UKRAINE QUID PRO QUO
- PRESIDENT TRUMP DIRECTLY BLOCKED HIS TESTIMONY

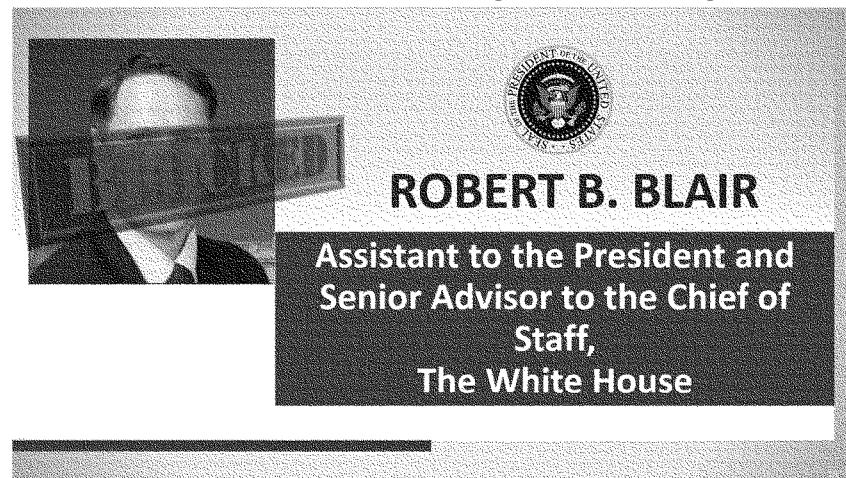
JANUARY 24, 2020

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**SLIDE 431.** S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S549



**SLIDE 432.** S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S548



**SLIDE 433.** S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S549

**PRESIDENT TRUMP FORCED SENIOR WHITE HOUSE  
OFFICIALS TO DEFY LAWFUL SUBPOENAS**



**ROBERT B. BLAIR**  
*ASST. TO THE PRESIDENT AND SENIOR ADVISOR TO THE CHIEF OF STAFF*

Mr. Blair has been directed by the White House not to appear and testify at the Committees' proposed deposition, based on the Department of Justice's advice that the Committees may not validly require an executive branch witness to appear at such a deposition without the assistance of agency counsel. In light of the clear direction he has been given by the Executive Branch, Mr. Blair must respectfully decline to testify, as you propose, on Monday, November 4, 2019.

***"Mr. Blair has been directed by the White House  
not to appear and testify..."***

2019-11-02 letter from Blair Counsel to Engel, Maloney, Schiff, Resnick

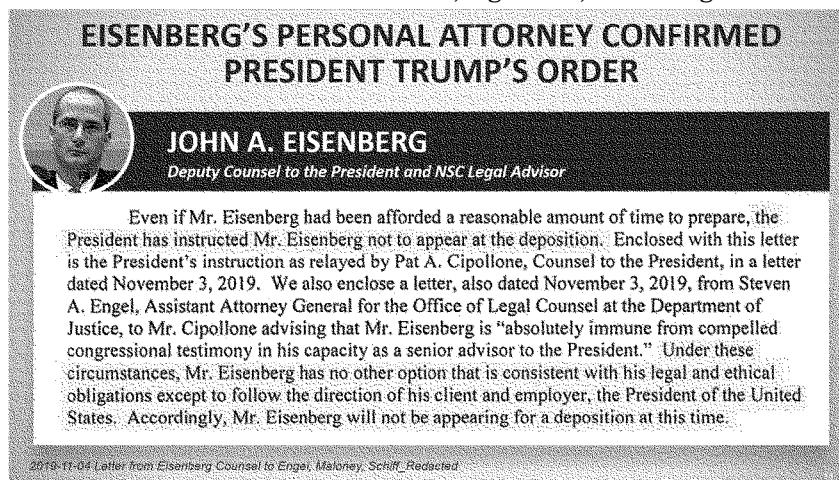
**SLIDE 434.** S. Doc. 116–18 Vol. II, Pg. 1026; 166 Cong. Rec. S549

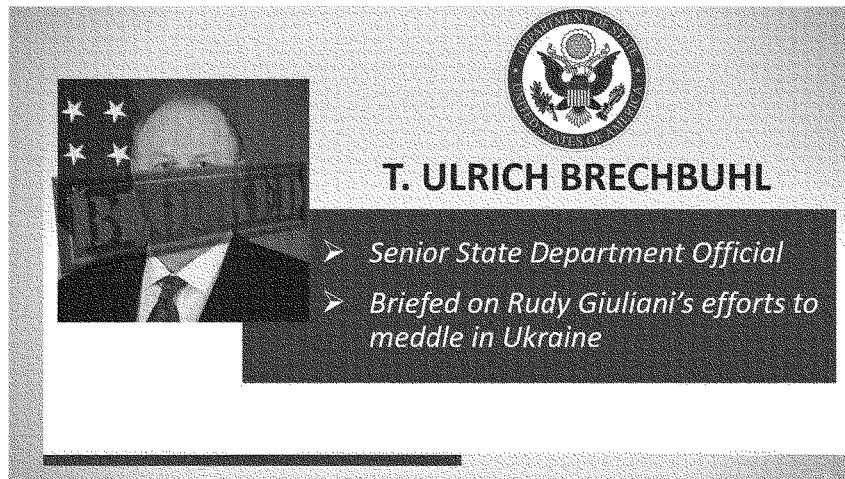
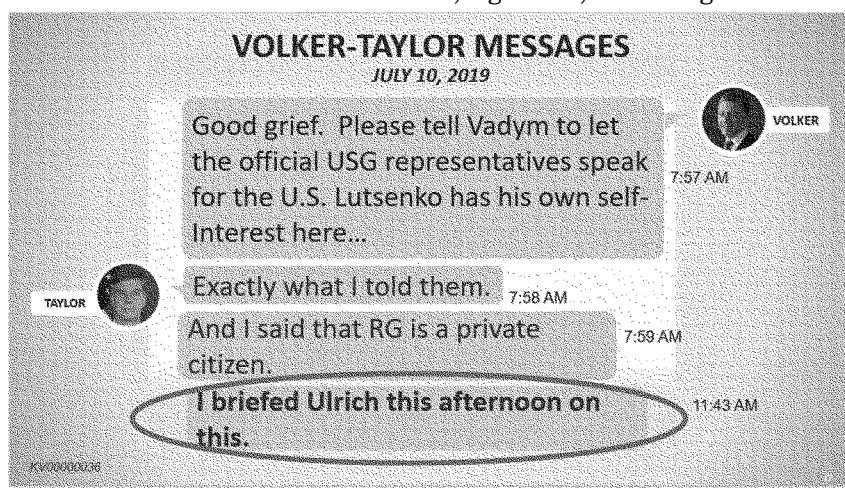


**JOHN A. EISENBERG**

➤ *Head Attorney on President Trump's National Security Council*

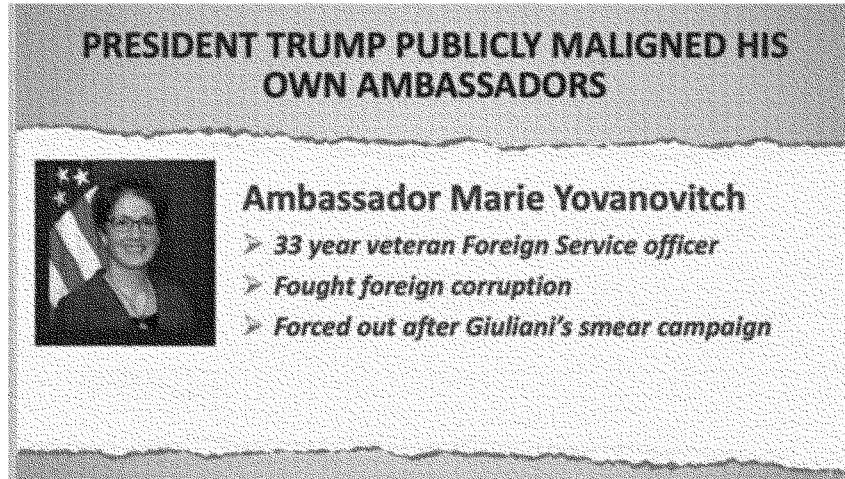
➤ *Deputy Counsel to the President for National Security Affairs*

**SLIDE 435.** S. Doc. 116–18 Vol. II, Pg. 1027; 166 Cong. Rec. S549**SLIDE 436.** S. Doc. 116–18 Vol. II, Pg. 1027; 166 Cong. Rec. S549

**SLIDE 437.** S. Doc. 116–18 Vol. II, Pg. 1027; 166 Cong. Rec. S549**SLIDE 438.** S. Doc. 116–18 Vol. II, Pg. 1027; 166 Cong. Rec. S549

**SLIDE 439.** S. Doc. 116–18 Vol. II, Pg. 1028; 166 Cong. Rec. S549**SLIDE 440.** S. Doc. 116–18 Vol. II, Pg. 1029; 166 Cong. Rec. S550

SLIDE 441. S. Doc. 116–18 Vol. II, Pg. 1029; 166 Cong. Rec. S550



SLIDE 442. S. Doc. 116–18 Vol. II, Pg. 1029; 166 Cong. Rec. S550

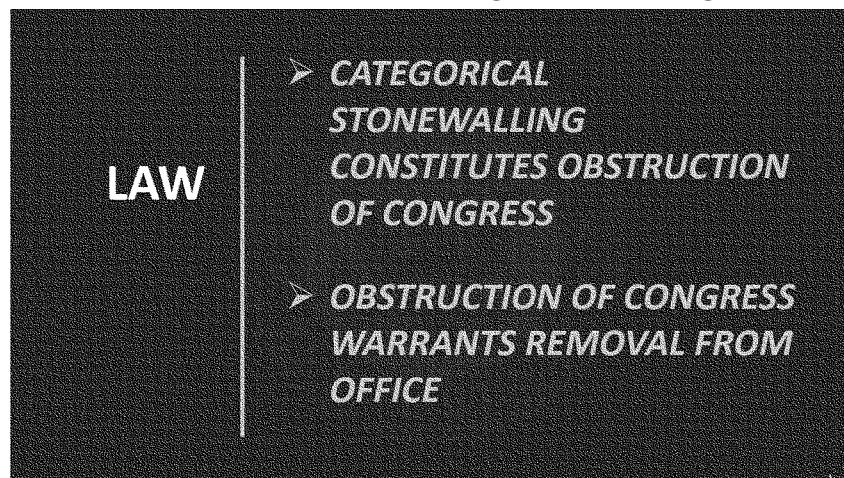


**SLIDE 443.** S. Doc. 116–18 Vol. II, Pg. 1030; 166 Cong. Rec. S550

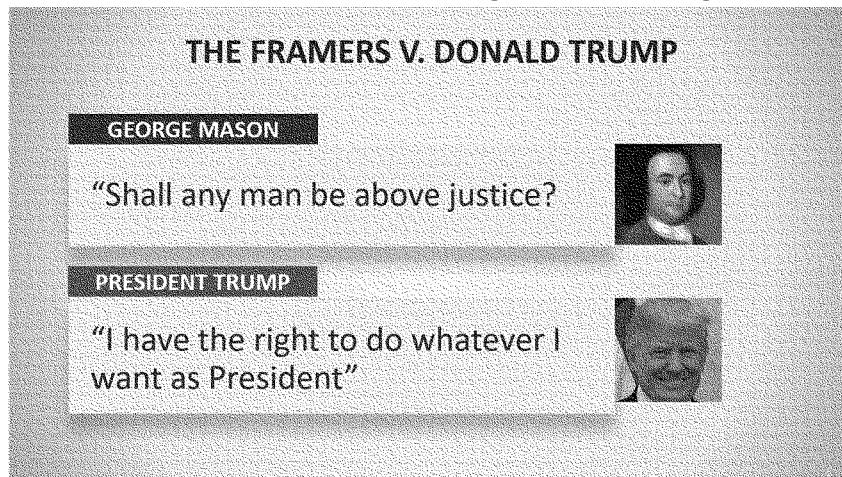


**SLIDE 444.** S. Doc. 116–18 Vol. II, Pg. 1030; 166 Cong. Rec. S550

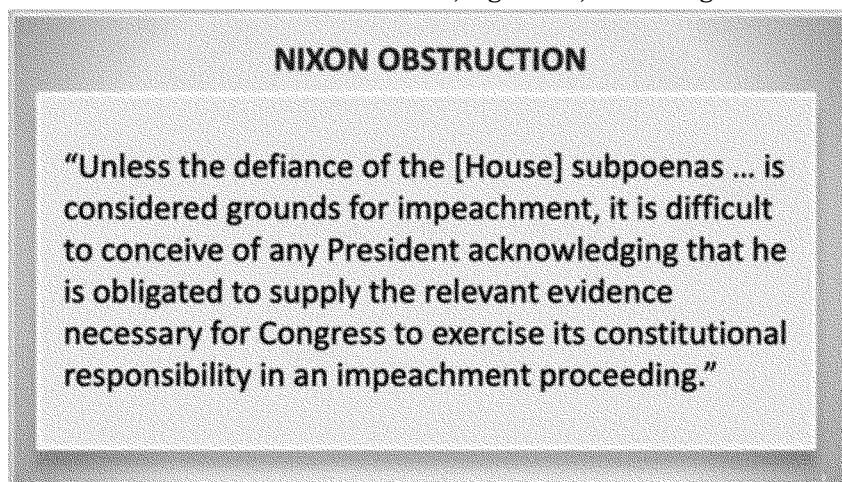


**SLIDE 445.** S. Doc. 116–18 Vol. II, Pg. 1030; 166 Cong. Rec. S550**SLIDE 446.** S. Doc. 116–18 Vol. II, Pg. 1031; 166 Cong. Rec. S550

**SLIDE 447.** S. Doc. 116–18 Vol. II, Pg. 1032; 166 Cong. Rec. S551



**SLIDE 448.** S. Doc. 116–18 Vol. II, Pg. 1033; 166 Cong. Rec. S551



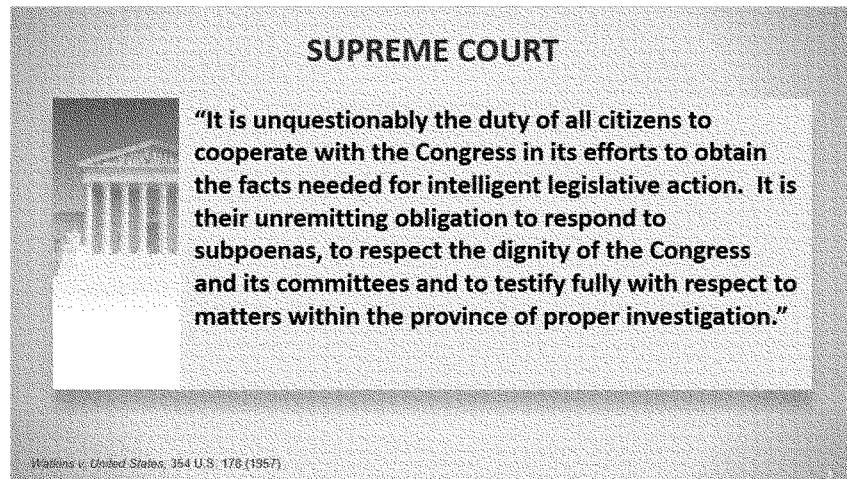
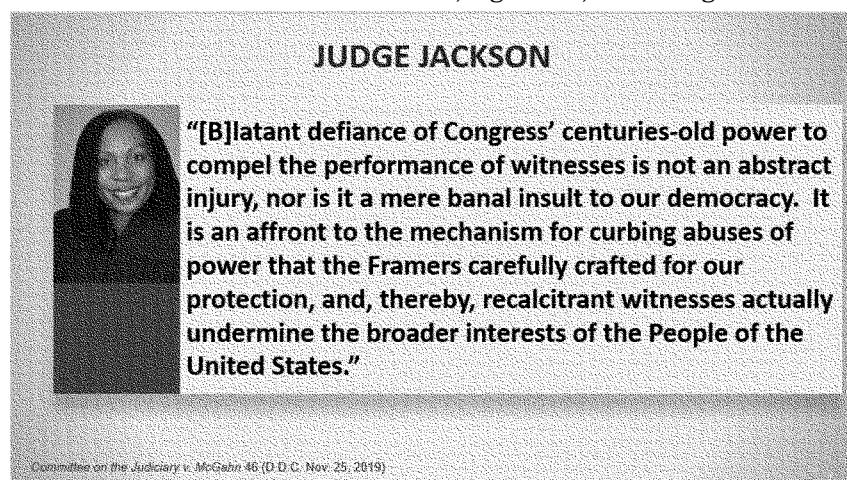
**SLIDE 449.** S. Doc. 116–18 Vol. II, Pg. 1033; 166 Cong. Rec. S551

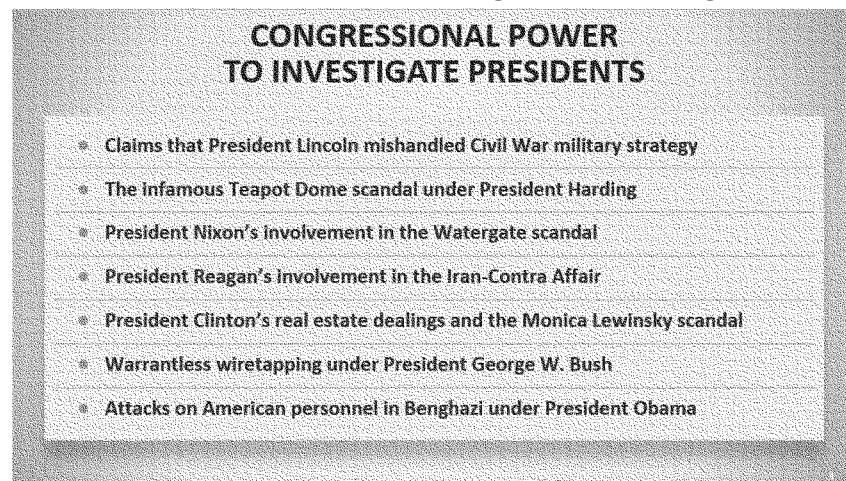
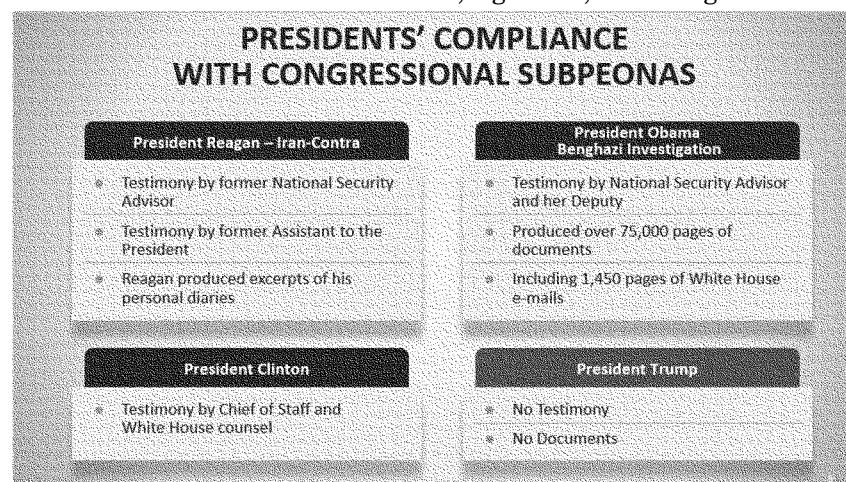
<b>PRESIDENTS NIXON &amp; TRUMP</b>	
<b>PRESIDENT NIXON</b>	<b>PRESIDENT TRUMP</b>
<ul style="list-style-type: none"><li>• Allowed White House officials to testify</li><li>• Allowed senior Executive Branch officials to testify</li><li>• Allowed Executive Branch agencies to turn over documents</li><li>• Turned over many of his own White House documents</li></ul>	<ul style="list-style-type: none"><li>• Prohibited all testimony</li><li>• Concealed all documents</li></ul>

**SLIDE 450.** S. Doc. 116–18 Vol. II, Pg. 1034; 166 Cong. Rec. S552

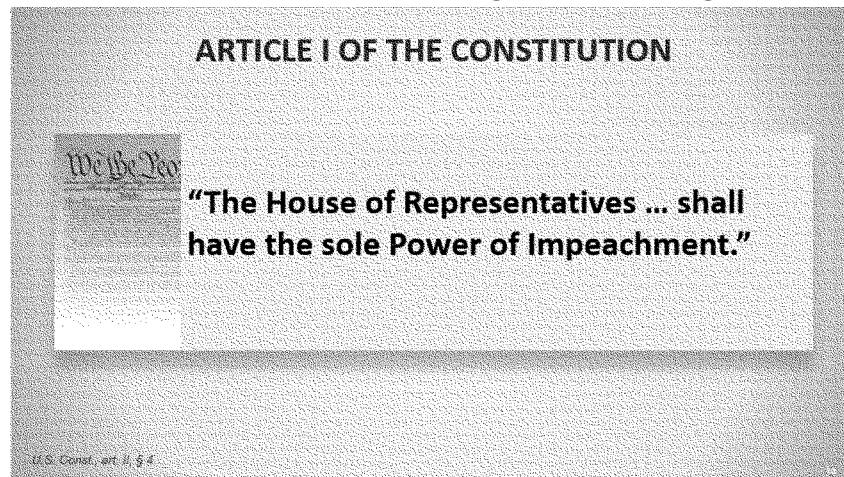
<b>ARTICLE I OF THE CONSTITUTION</b>	
<i>We the People</i>	<b>"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."</b>
	<b>"Each House may determine the Rules of its Proceedings"</b>

U.S. Const., art. I, § 7, § 5

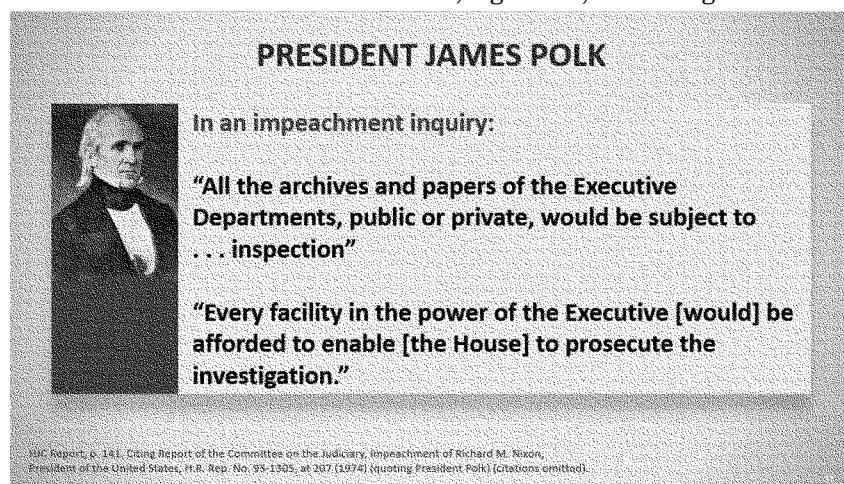
**SLIDE 451.** S. Doc. 116–18 Vol. II, Pg. 1034; 166 Cong. Rec. S552**SLIDE 452.** S. Doc. 116–18 Vol. II, Pg. 1035; 166 Cong. Rec. S552

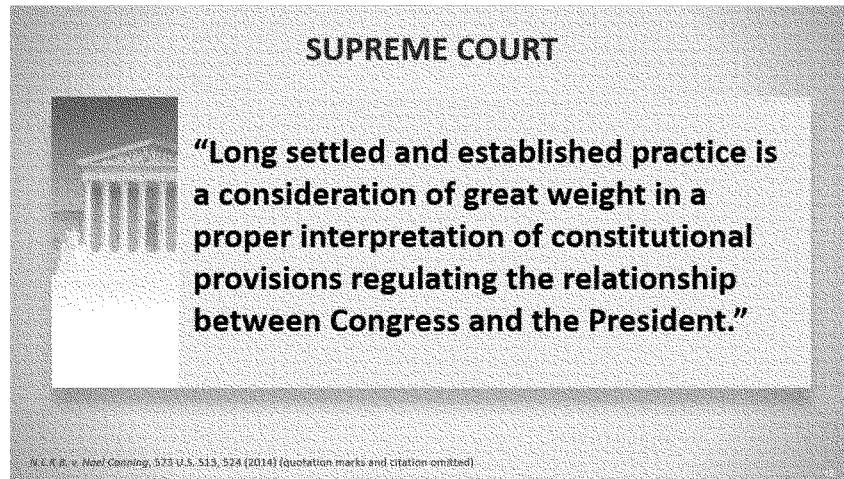
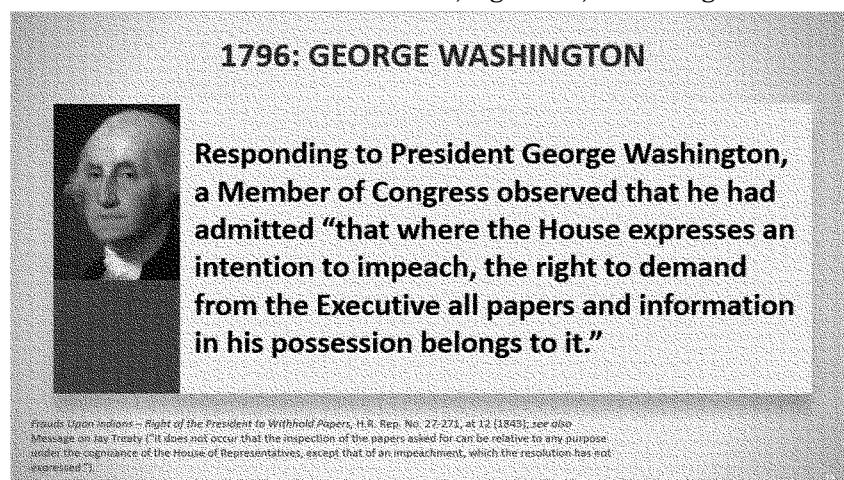
**SLIDE 453.** S. Doc. 116–18 Vol. II, Pg. 1035; 166 Cong. Rec. S552**SLIDE 454.** S. Doc. 116–18 Vol. II, Pg. 1035; 166 Cong. Rec. S552

**SLIDE 455.** S. Doc. 116–18 Vol. II, Pg. 1036; 166 Cong. Rec. S552



**SLIDE 456.** S. Doc. 116–18 Vol. II, Pg. 1036; 166 Cong. Rec. S552



**SLIDE 457.** S. Doc. 116–18 Vol. II, Pg. 1036; 166 Cong. Rec. S552**SLIDE 458.** S. Doc. 116–18 Vol. II, Pg. 1037; 166 Cong. Rec. S553

JANUARY 24, 2020

1809

**SLIDE 459.** S. Doc. 116–18 Vol. II, Pg. 1037; 166 Cong. Rec. S553

**1833: SUPREME COURT JUSTICE JOSEPH STORY**



**"The power of impeachment will generally be applied to persons holding high offices under the government; and *it is of great consequence that the President should not have the power of preventing a thorough investigation of their conduct."***

© Joseph Story, *Commentaries on the Constitution of the United States* § 1495, at 352 (1833) (emphasis added).

**SLIDE 460.** S. Doc. 116–18 Vol. II, Pg. 1037; 166 Cong. Rec. S553

**PRESIDENT JAMES POLK**



**"It may be alleged that the power of impeachment belongs to the House of Representatives, and that with a view to the exercise of this power, that House has the right to investigate the conduct of all public officers under the government. This is cheerfully admitted."**

Nixon Impeachment Report (1974), at 207

**SLIDE 461.** S. Doc. 116–18 Vol. II, Pg. 1037; 166 Cong. Rec. S553

**IMPEACHMENT OF  
PRESIDENT ANDREW JOHNSON**



**"There is no evidence that Johnson ever asserted any privilege to prevent disclosure of presidential conversations to the Committee, or failed to comply with any of the Committee's requests."**

When asked to disclose a conversation between himself and President Johnson regarding the preparation of a veto message, an advisor named Jeremiah Black thus agreed he was "bound in conscience to answer a question which that tribunal declares he ought to answer; that he is himself not the judge of what he ought to answer and what he ought not." *Nixon Impeachment Report* (1874), at 207.

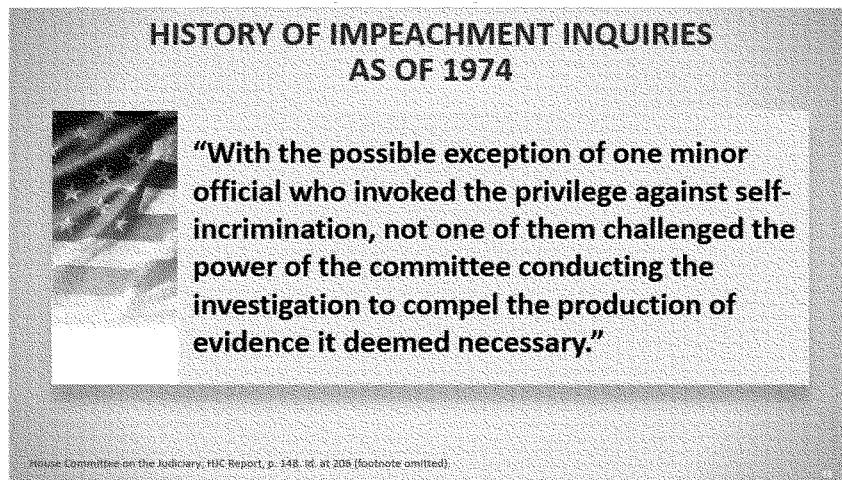
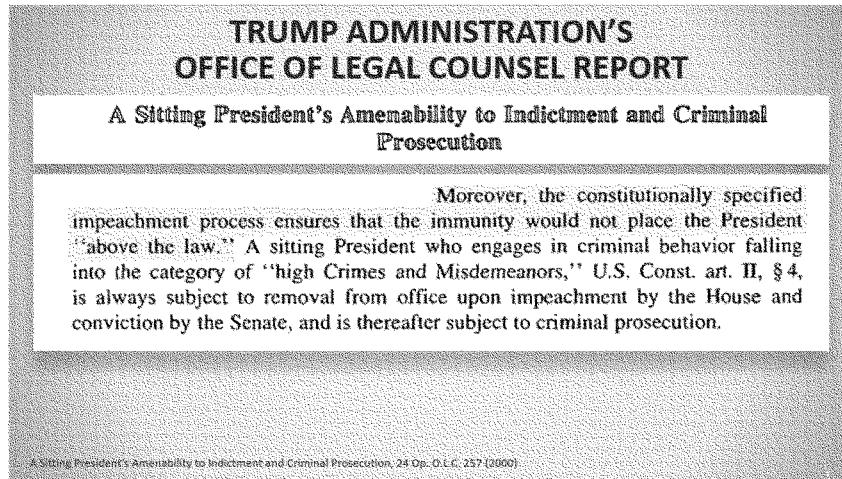
**SLIDE 462.** S. Doc. 116–18 Vol. II, Pg. 1038; 166 Cong. Rec. S553

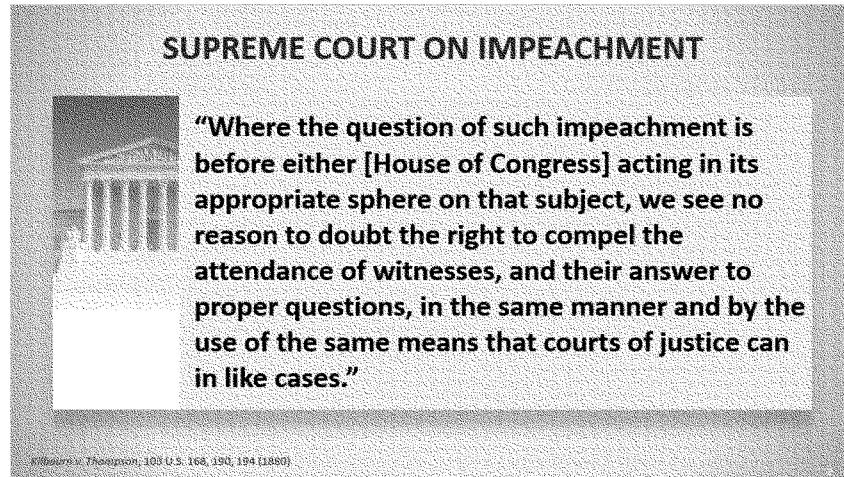
**IMPEACHMENT OF  
PRESIDENT RICHARD NIXON**

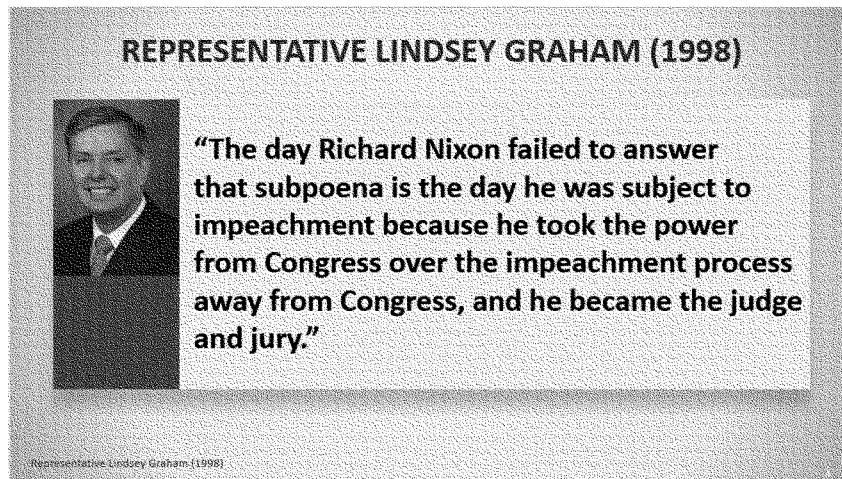


**President Nixon:** "All members of the White House Staff will appear voluntarily when requested by the committee. They will testify under oath, and they will answer fully all proper questions."

Staff of H. Comm. on the Judiciary, 115th Cong., Constitutional Grounds for Presidential Impeachment (December 2018), pp. 42–43. See *The President's Remarks Announcing Developments and Procedures to be Followed in Connection with the Investigation*, THE WHITE HOUSE Apr. 17, 1973.

**SLIDE 463.** S. Doc. 116–18 Vol. II, Pg. 1038; 166 Cong. Rec. S553**SLIDE 464.** S. Doc. 116–18 Vol. II, Pg. 1039; 166 Cong. Rec. S553

**SLIDE 465.** S. Doc. 116–18 Vol. II, Pg. 1039; 166 Cong. Rec. S553**SLIDE 466.** S. Doc. 116–18 Vol. II, Pg. 1039; 166 Cong. Rec. S554

**SLIDE 467.** S. Doc. 116–18 Vol. II, Pg. 1041; 166 Cong. Rec. S554**SLIDE 468.** S. Doc. 116–18 Vol. II, Pg. 1041/1041; 166 Cong. Rec. S554/S554

**SLIDE 469.** S. Doc. 116–18 Vol. II, Pg. 1042; 166 Cong. Rec. S555

**PROFESSOR FRANK O. BOWMAN, III**

**“Without the power to compel compliance with subpoenas and the concomitant right to impeach a president for refusal to comply, the impeachment power would be nullified.”**

Frank O. Bowman III, *High Crimes & Misdemeanors: A History of Impeachment for the Age of Trump*, at 399 (2018).

**SLIDE 470.** S. Doc. 116–18 Vol. II, Pg. 1042; 166 Cong. Rec. S555

**IMPEACHMENT OF  
PRESIDENT RICHARD NIXON**

**“The doctrine of separation of powers cannot justify the withholding of information from an impeachment inquiry.”**

House Committee on the Judiciary (1974), Nixon Impeachment Report (1974), at 208.

**SLIDE 471.** S. Doc. 116–18 Vol. II, Pg. 1043; 166 Cong. Rec. S555

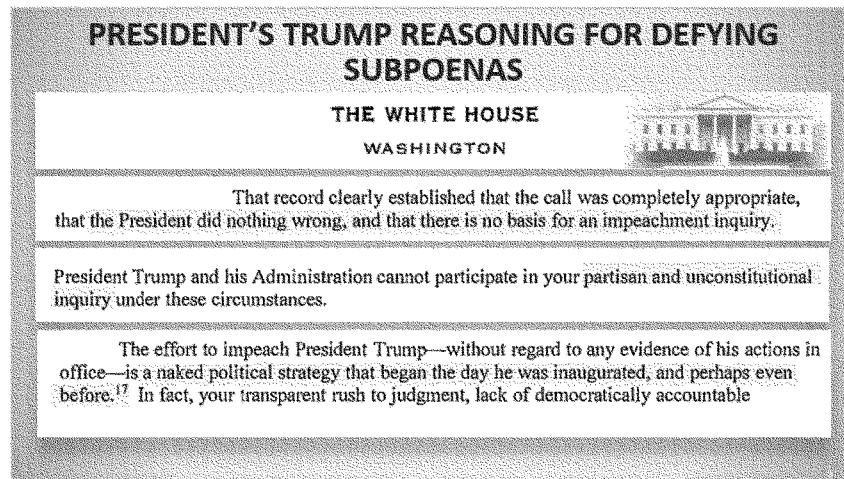
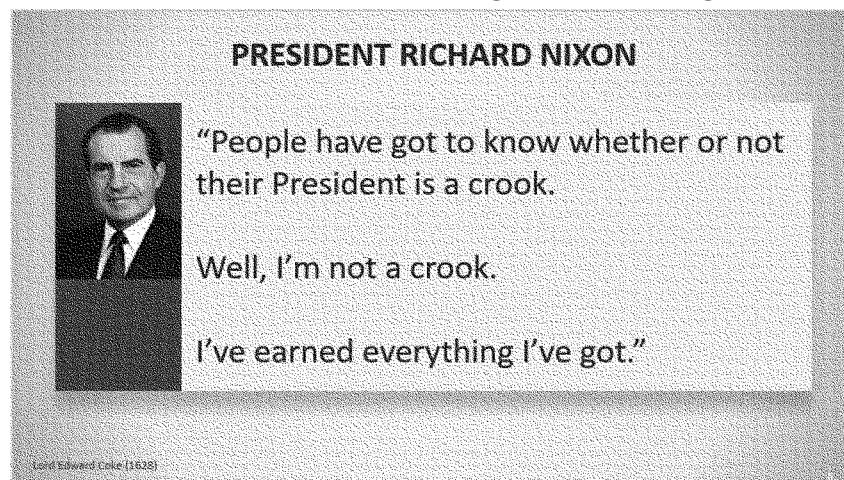
### IMPEACHMENT OF PRESIDENT RICHARD NIXON: ARTICLE III

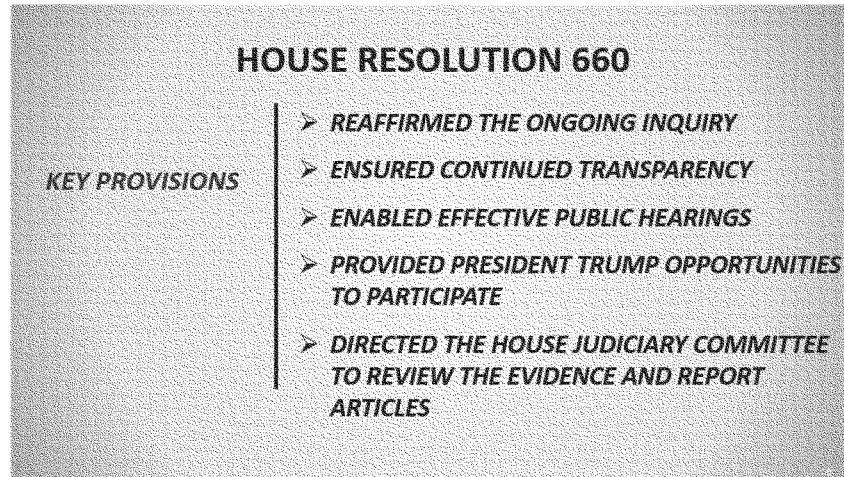
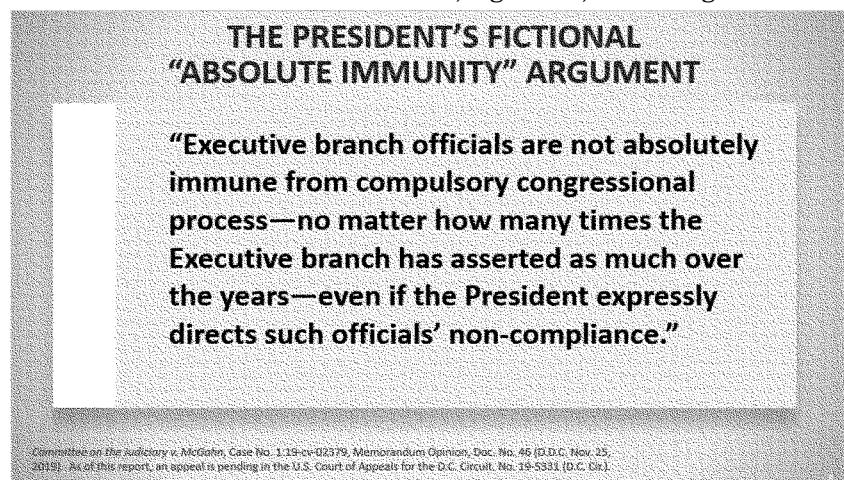
**"In refusing to produce these papers and things, Richard M. Nixon, substituting his judgment as to what materials were necessary for the inquiry, interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, thereby assuming to himself functions and judgments necessary to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives."**

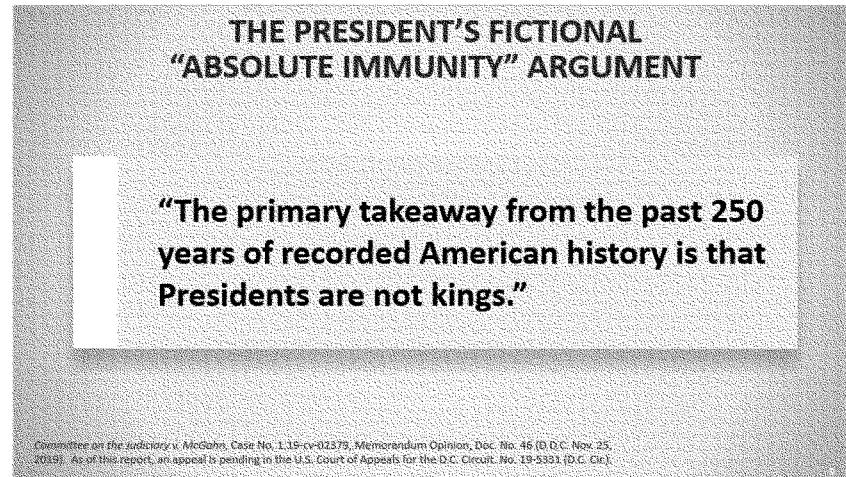
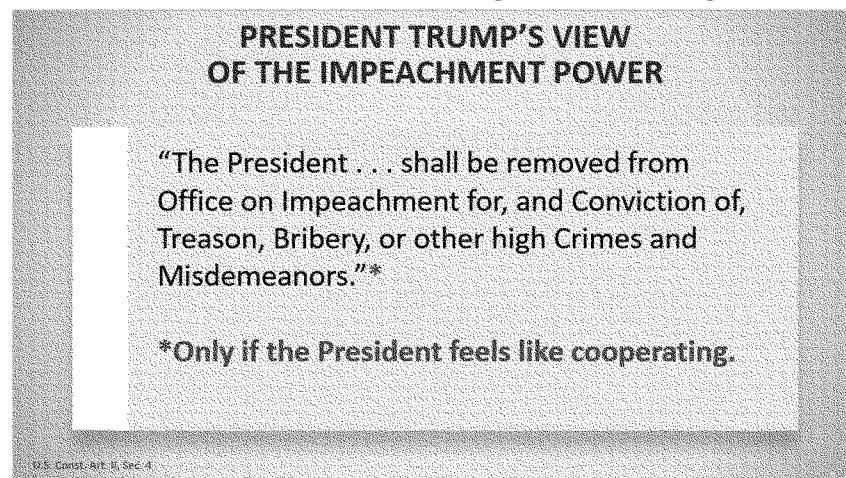
**SLIDE 472.** S. Doc. 116–18 Vol. II, Pg. 1044; 166 Cong. Rec. S555

### WHY PRESIDENT TRUMP'S EXCUSES FAIL

- 1 The House, not the President, sets its own procedures
- 2 A House impeachment inquiry is not a full-blown trial
- 3 No basis in history or past practice
- 4 Ignores a key resolution approved by the House

**SLIDE 473.** S. Doc. 116–18 Vol. II, Pg. 1045; 166 Cong. Rec. S556**SLIDE 474.** S. Doc. 116–18 Vol. II, Pg. 1045; 166 Cong. Rec. S556

**SLIDE 475.** S. Doc. 116–18 Vol. II, Pg. 1049; 166 Cong. Rec. S557**SLIDE 476.** S. Doc. 116–18 Vol. II, Pg. 1051; 166 Cong. Rec. S558

**SLIDE 477.** S. Doc. 116–18 Vol. II, Pg. 1051; 166 Cong. Rec. S558**SLIDE 478.** S. Doc. 116–18 Vol. II, Pg. 1052; 166 Cong. Rec. S559

**SLIDE 479.** S. Doc. 116–18 Vol. II, Pg. 1054; 166 Cong. Rec. S559**H. RES. 755**

"[President Trump's] actions were consistent with President Trump's previous efforts to undermine United States Government investigations into foreign interference in United States elections."

[H. Res. 755, 116th Cong., Art. II (2019)]**SLIDE 480.** S. Doc. 116–18 Vol. II, Pg. 1054; 166 Cong. Rec. S559**GERHARDT TESTIMONY**

"The power to impeach includes the power to investigate, but, if the president can stymy this House's impeachment inquiry, he can eliminate the impeachment power as a means for holding him and future presidents accountable for serious misconduct. If left unchecked, the president will likely continue his pattern of soliciting foreign interference on his behalf in the next election."

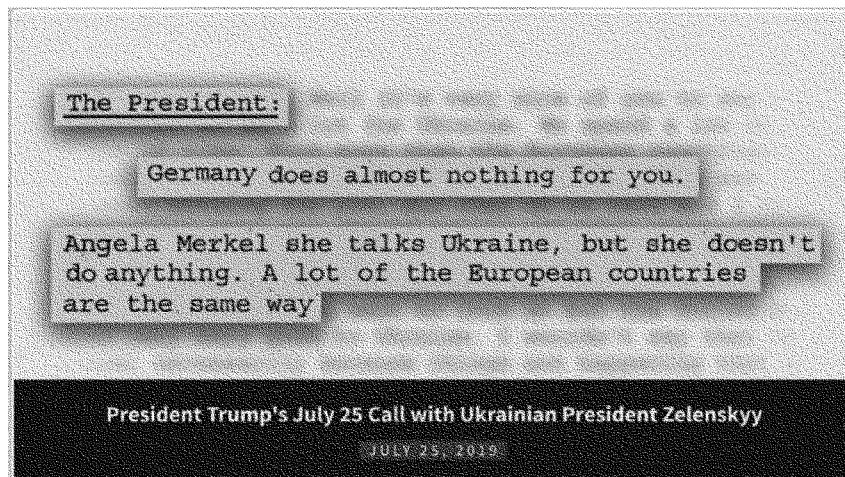
Written Statement of Michael Gerhardt before the House Judiciary Committee, December 4, 2019



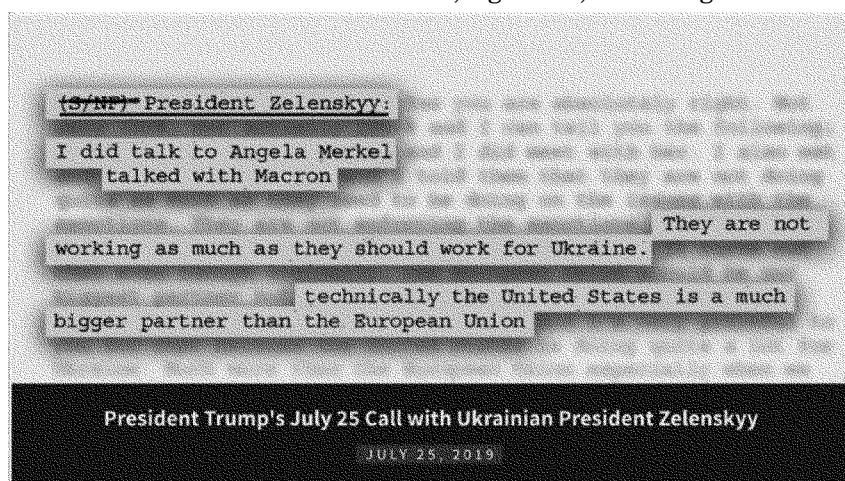
SLIDES 481–504

[166 CONG. REC. S568–578 (DAILY ED. JAN. 25, 2020)]

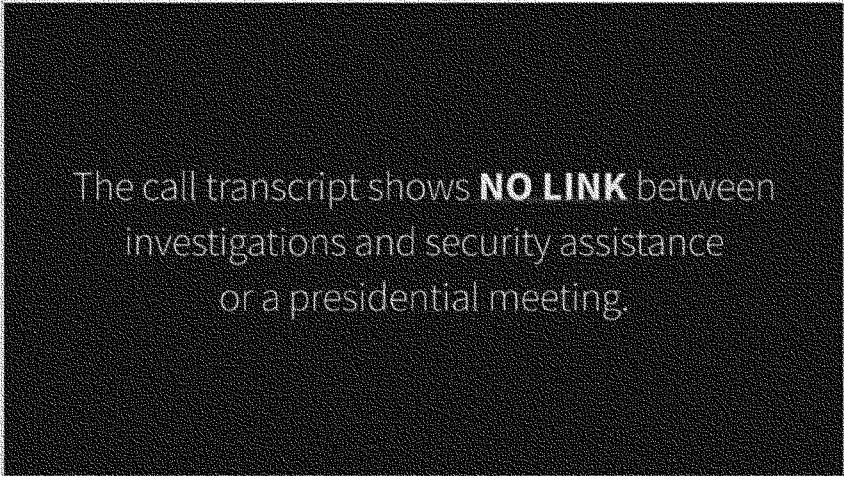
**SLIDE 481.** S. Doc. 116–18 Vol. II, Pg. 1073/1077; 166 Cong. Rec. S568/S569



**SLIDE 482.** S. Doc. 116–18 Vol. II, Pg. 1073; 166 Cong. Rec. S568

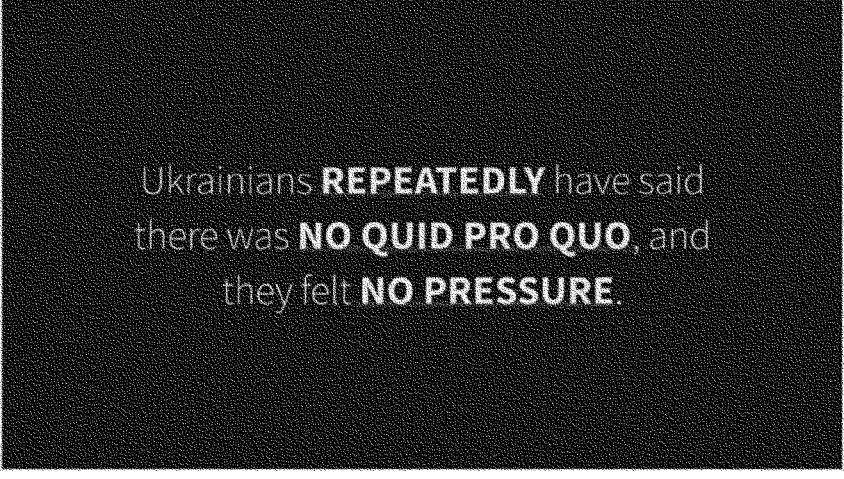


**SLIDE 483.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S568



The call transcript shows **NO LINK** between investigations and security assistance or a presidential meeting.

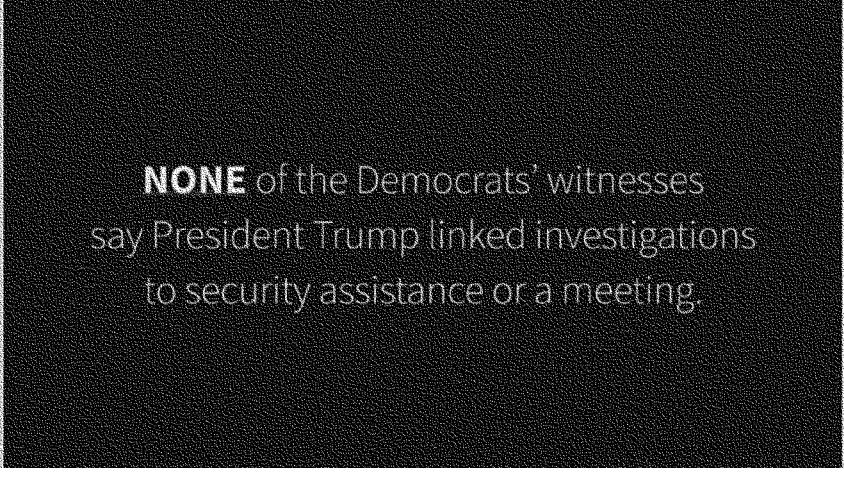
**SLIDE 484.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S568



Ukrainians **REPEATEDLY** have said there was **NO QUID PRO QUO**, and they felt **NO PRESSURE**.

**SLIDE 485.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S569

Ukraine **DID NOT KNOW** security assistance was paused until more than a month after the call.

**SLIDE 486.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S569

**NONE** of the Democrats' witnesses say President Trump linked investigations to security assistance or a meeting.

**SLIDE 487.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S569

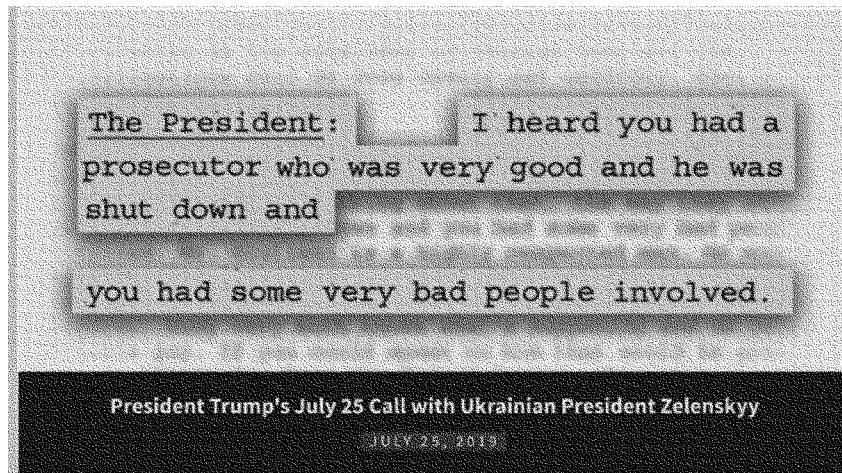
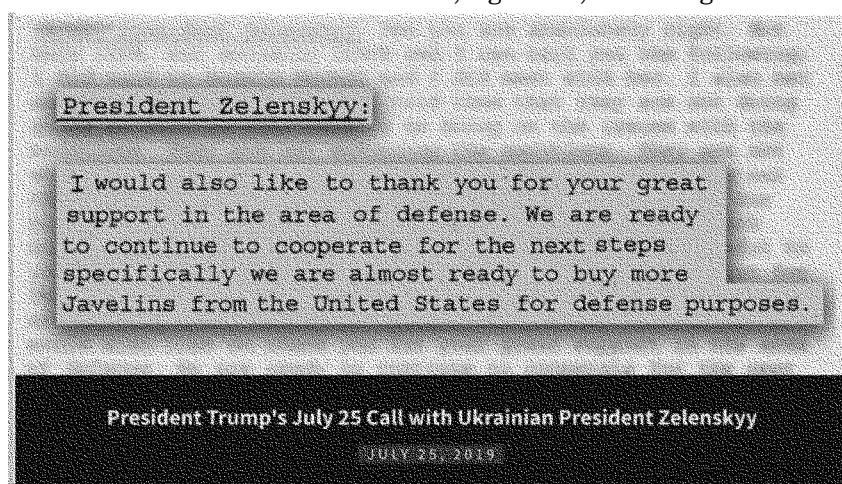


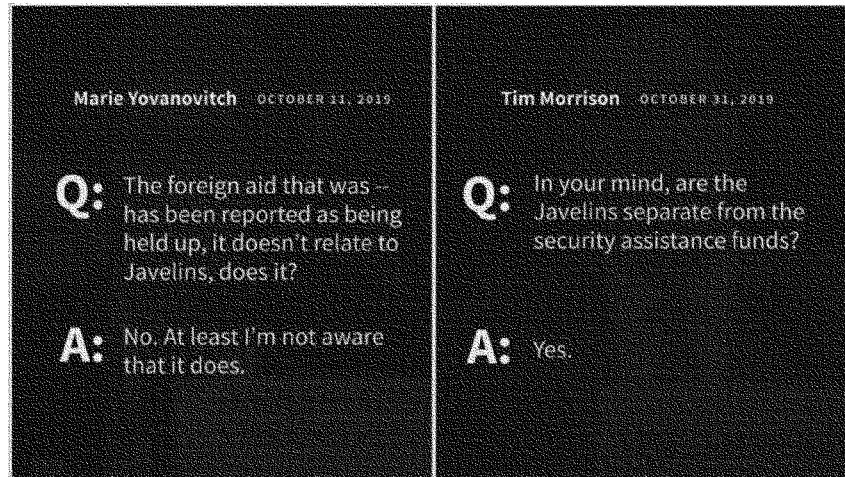
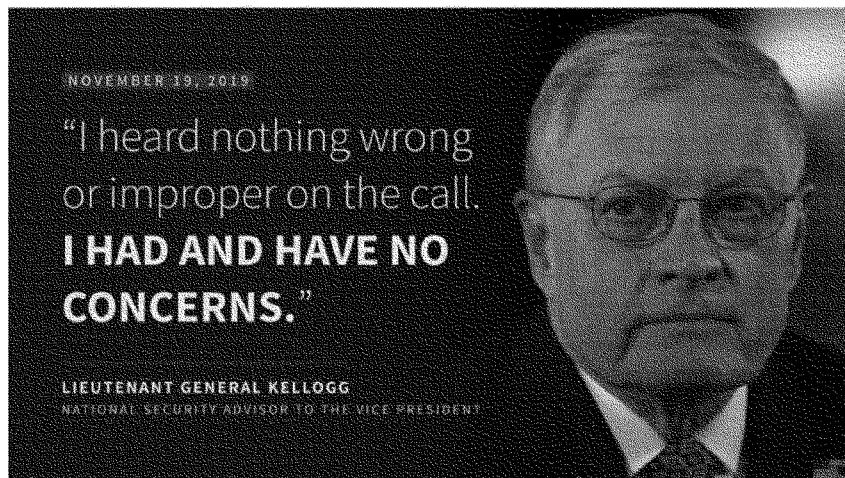
Ukraine announced no investigations  
and **STILL RECEIVED** security assistance  
and a presidential meeting.

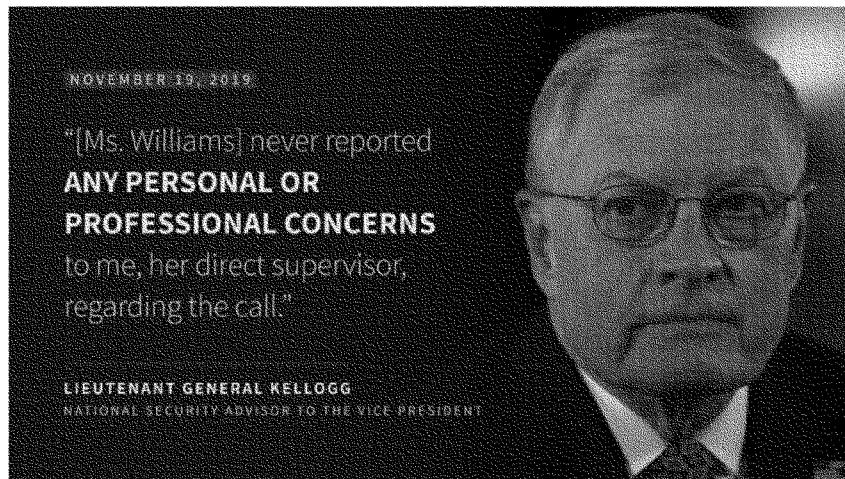
**SLIDE 488.** S. Doc. 116–18 Vol. II, Pg. 1075; 166 Cong. Rec. S569



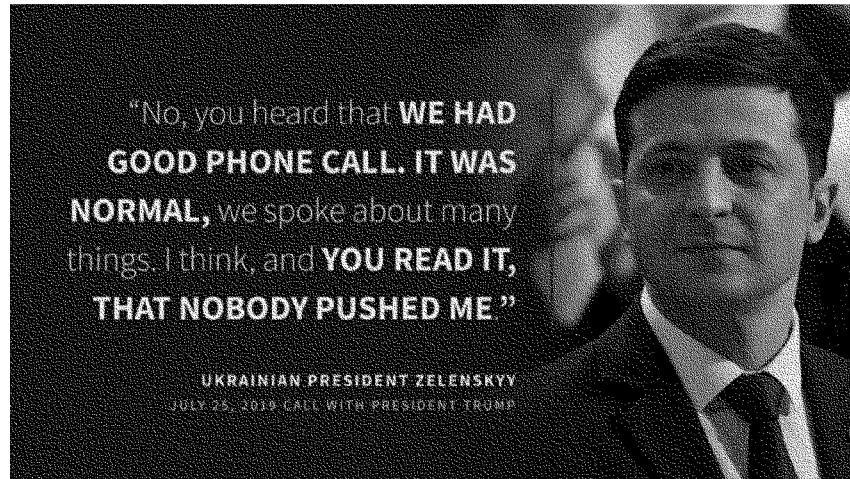
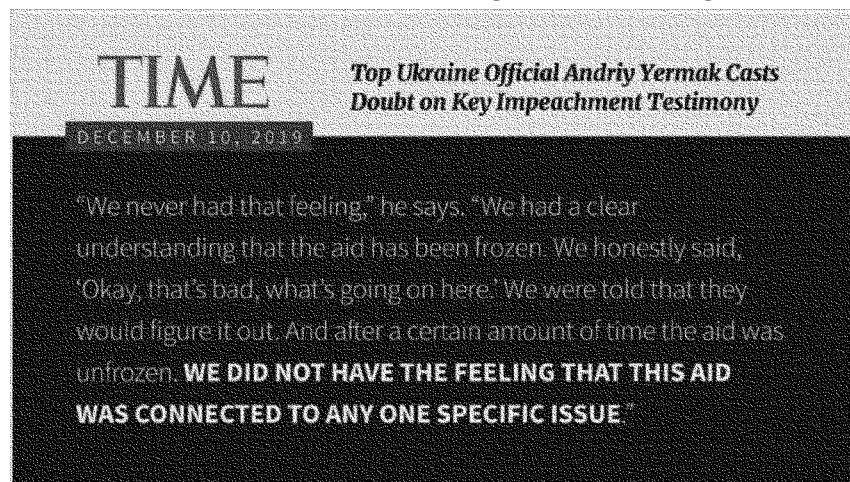
President Trump **STRENGTHENED**  
U.S. support for Ukraine.

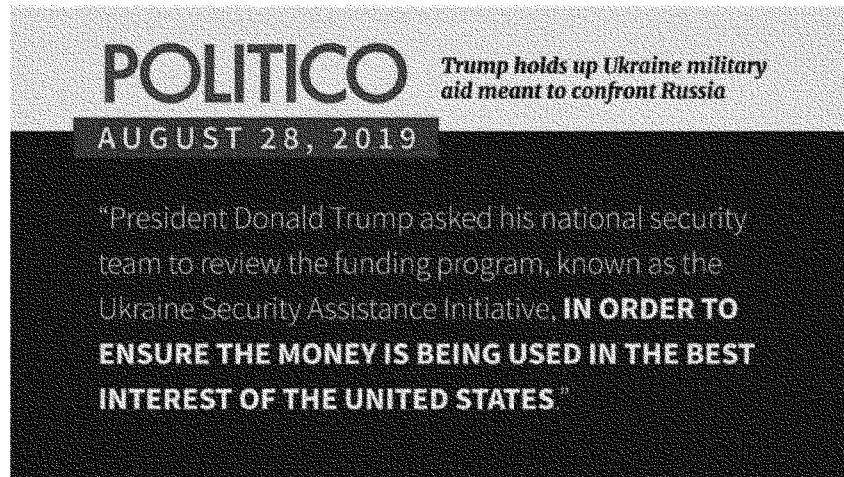
**SLIDE 489.** S. Doc. 116–18 Vol. II, Pg. 1077; 166 Cong. Rec. S569**SLIDE 490.** S. Doc. 116–18 Vol. II, Pg. 1077; 166 Cong. Rec. S569

**SLIDE 491.** S. Doc. 116–18 Vol. II, Pg. 1077; 166 Cong. Rec. S569**SLIDE 492.** S. Doc. 116–18 Vol. II, Pg. 1078; 166 Cong. Rec. S570

**SLIDE 493.** S. Doc. 116–18 Vol. II, Pg. 1078; 166 Cong. Rec. S570**SLIDE 494.** S. Doc. 116–18 Vol. II, Pg. 1079; 166 Cong. Rec. S570

A black and white portrait of Tim Morrison. Above the portrait is a horizontal bar containing the name "Tim Morrison" on the left and the date "OCTOBER 31, 2019" on the right. Below the portrait is a transcript of a question and answer session. The question is: "Q: And in your view, there was nothing improper that occurred during the call?" The answer is: "A: Correct." At the bottom right of the slide is the text "DEPOSITION TRANSCRIPT".

**SLIDE 495.** S. Doc. 116–18 Vol. II, Pg. 1080; 166 Cong. Rec. S570**SLIDE 496.** S. Doc. 116–18 Vol. II, Pg. 1080; 166 Cong. Rec. S570

**SLIDE 497.** S. Doc. 116–18 Vol. II, Pg. 1080; 166 Cong. Rec. S570**SLIDE 498.** S. Doc. 116–18 Vol. II, Pg. 1081; 166 Cong. Rec. S571

**SLIDE 499.** S. Doc. 116–18 Vol. II, Pg. 1082; 166 Cong. Rec. S571

**Laura Cooper | NOVEMBER 20, 2019**

“...the only meeting where I recall a Ukrainian official raising the issue [of security assistance] with me is on September 5th at the Ukrainian Independence Day celebration.”

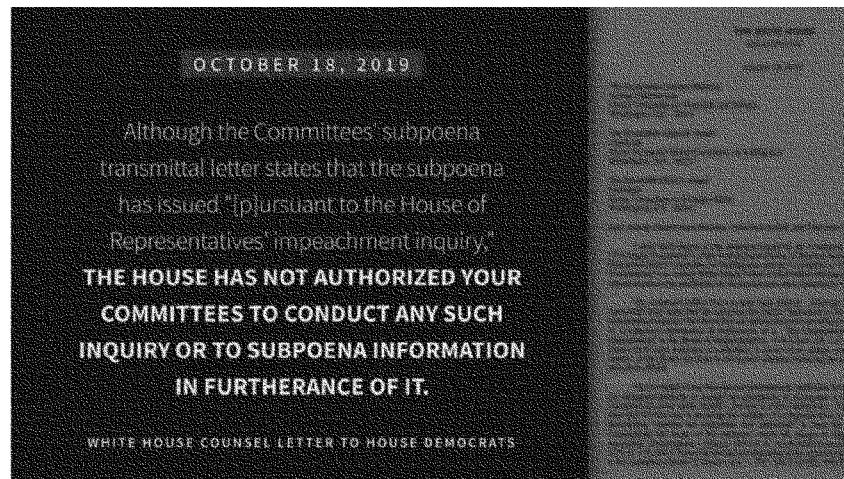
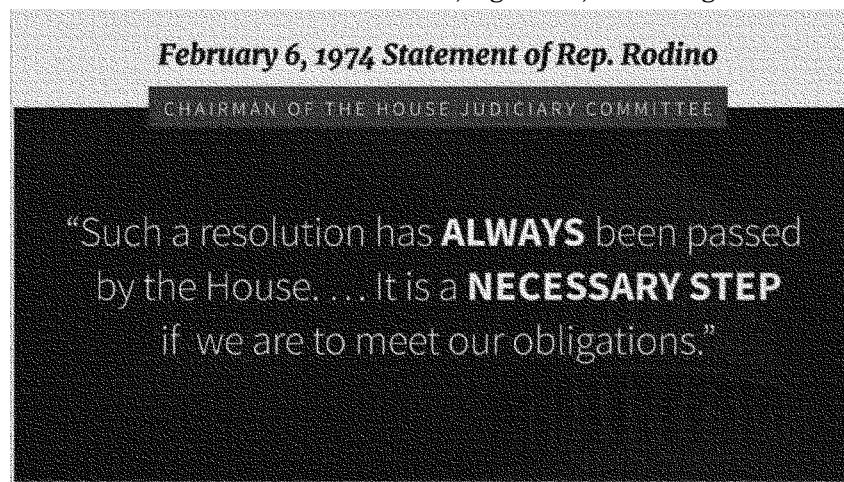
**SLIDE 500.** S. Doc. 116–18 Vol. II, Pg. 1084; 166 Cong. Rec. S572

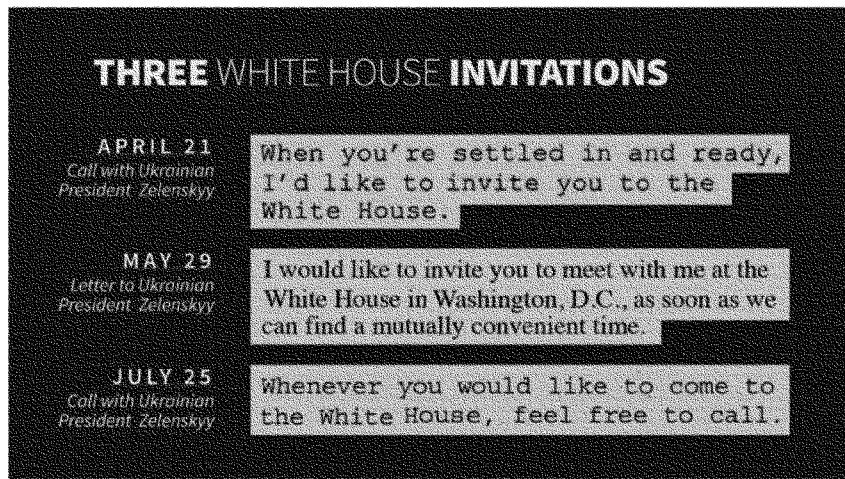
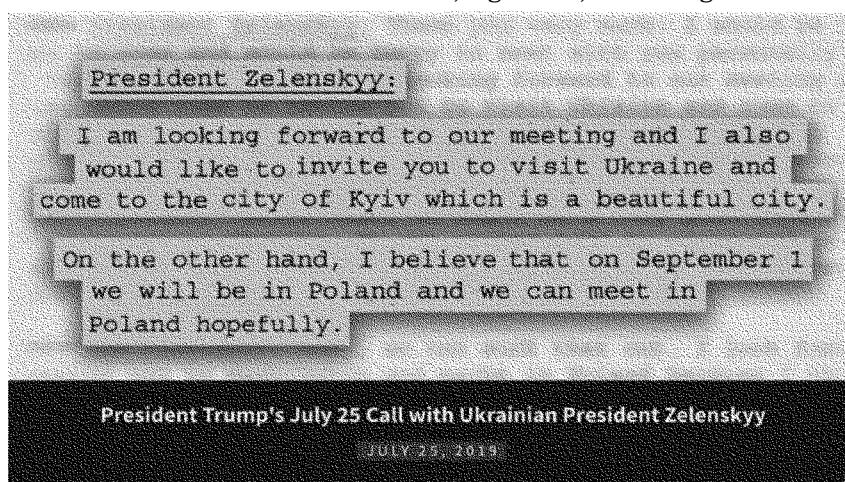
PRESIDENT TRUMP  
AUGUST 31, 2019

**“No way. I WOULD  
NEVER DO THAT.”**

Who told you that?”

SENATOR JOHNSON’S LETTER TO RANKING MEMBERS

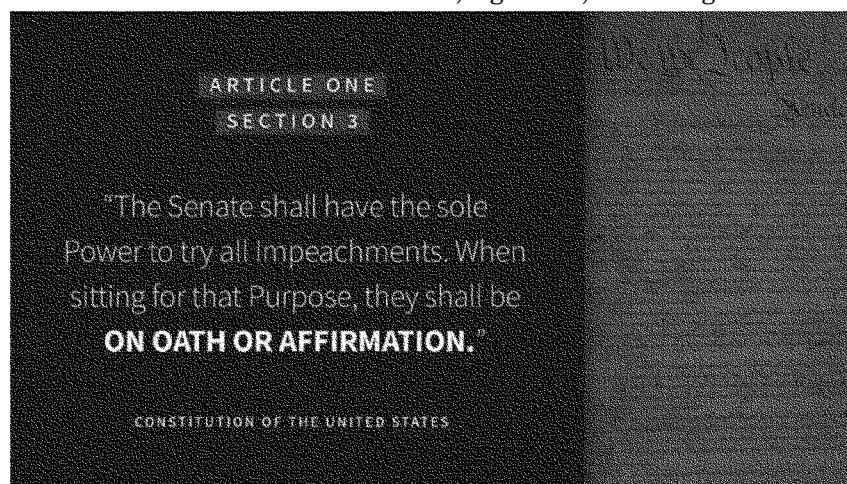
**SLIDE 501.** S. Doc. 116–18 Vol. II, Pg. 1092; 166 Cong. Rec. S575**SLIDE 502.** S. Doc. 116–18 Vol. II, Pg. 1094; 166 Cong. Rec. S576

**SLIDE 503.** S. Doc. 116–18 Vol. II, Pg. 1099; 166 Cong. Rec. S577**SLIDE 504.** S. Doc. 116–18 Vol. II, Pg. 1099; 166 Cong. Rec. S578

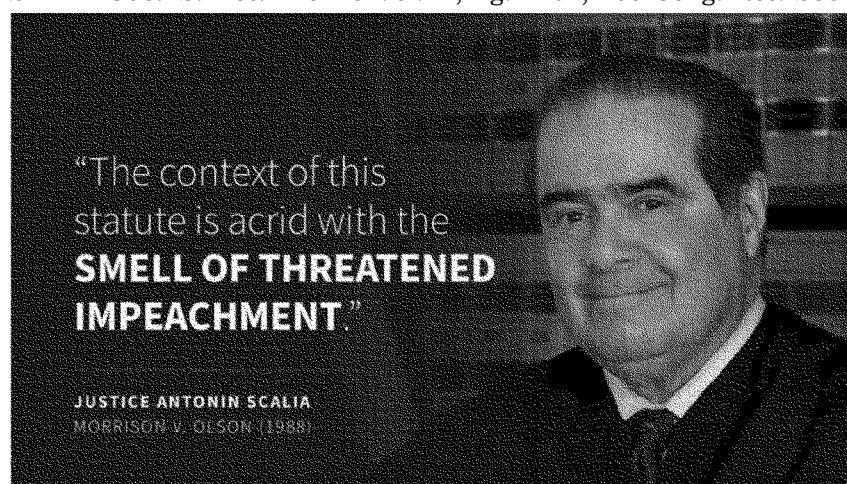
SLIDES 505–555

[166 CONG. REC. S580–613 (DAILY ED. JAN. 27, 2020)]

**SLIDE 505.** S. Doc. 116–18 Vol. II, Pg. 1103; 166 Cong. Rec. S580



**SLIDE 506.** S. Doc. 116–18 Vol. II, Pg. 1104; 166 Cong. Rec. S580

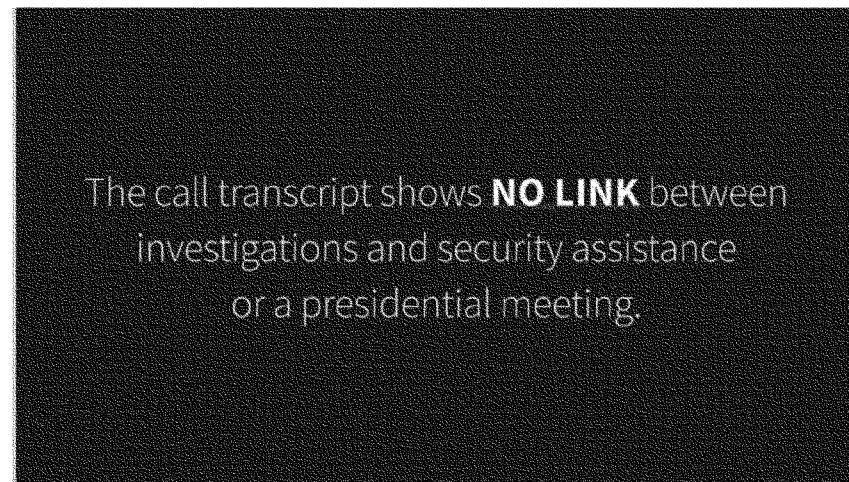


(1833)

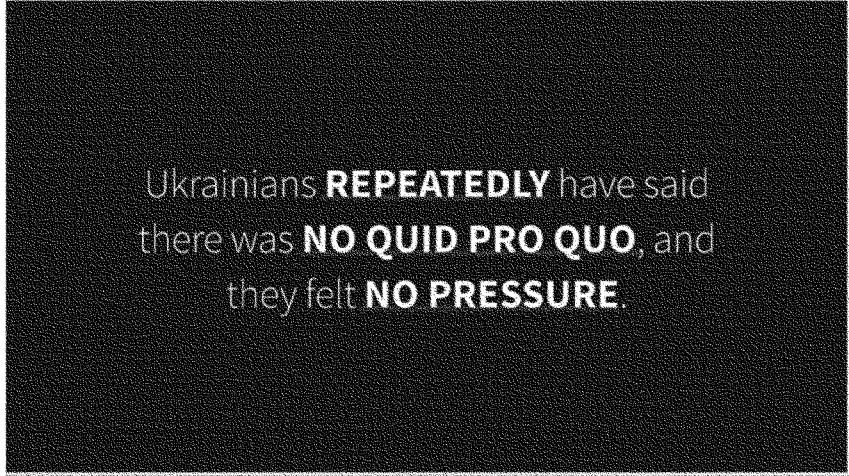
**SLIDE 507.** S. Doc. 116–18 Vol. II, Pg. 1106; 166 Cong. Rec. S581



**SLIDE 508.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584



**SLIDE 509.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584



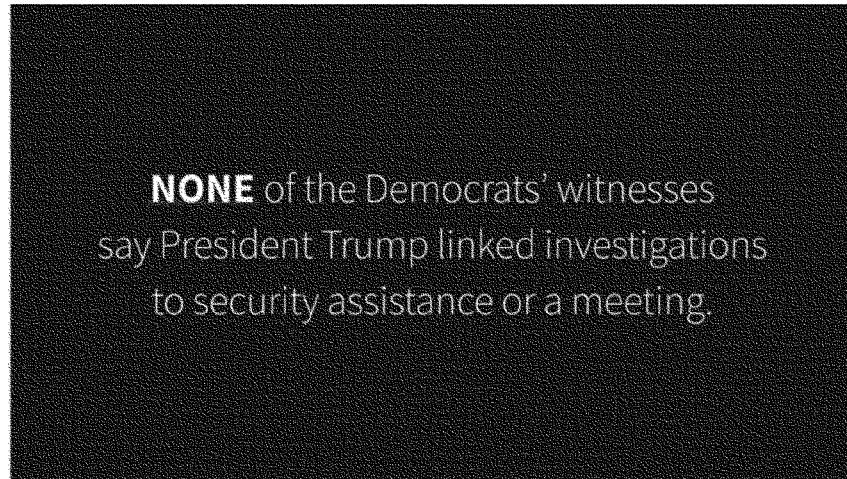
Ukrainians **REPEATEDLY** have said  
there was **NO QUID PRO QUO**, and  
they felt **NO PRESSURE**.

**SLIDE 510.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584



Ukraine **DID NOT KNOW** security  
assistance was paused until more  
than a month after the call.

**SLIDE 511.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584



**SLIDE 512.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584



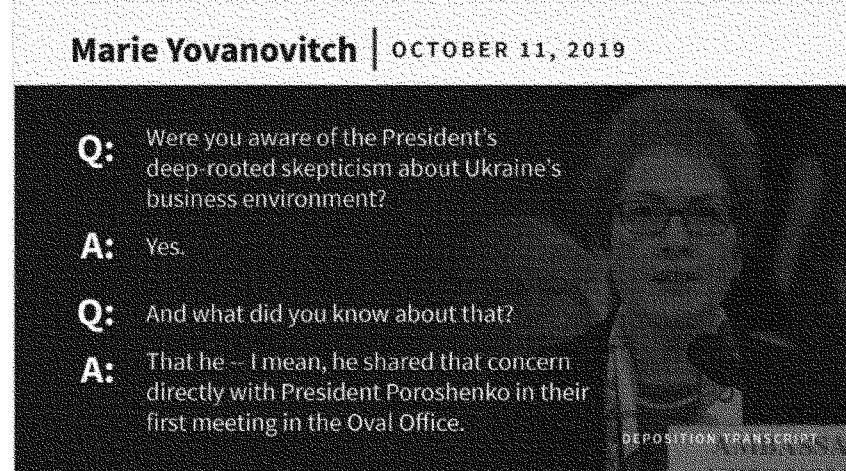
**SLIDE 513.** S. Doc. 116–18 Vol. II, Pg. 1114; 166 Cong. Rec. S584**SLIDE 514.** S. Doc. 116–18 Vol. II, Pg. 1116; 166 Cong. Rec. S585

Fiona Hill | OCTOBER 14, 2019

“I think the President has actually quite publicly said that he was very skeptical about corruption in Ukraine. And, in fact, he’s not alone, because everyone has expressed great concerns about corruption in Ukraine.”

DEPOSITION TRANSCRIPT

A slide with a dotted border. At the top left, it says "Fiona Hill | OCTOBER 14, 2019". The main content is a quote: "“I think the President has actually quite publicly said that he was very skeptical about corruption in Ukraine. And, in fact, he’s not alone, because everyone has expressed great concerns about corruption in Ukraine.”". At the bottom right, it says "DEPOSITION TRANSCRIPT".

**SLIDE 515.** S. Doc. 116–18 Vol. II, Pg. 1116; 166 Cong. Rec. S585**SLIDE 516.** S. Doc. 116–18 Vol. II, Pg. 1117; 166 Cong. Rec. S585

**SLIDE 517.** S. Doc. 116–18 Vol. II, Pg. 1118; 166 Cong. Rec. S585**Jennifer Williams | NOVEMBER 7, 2019**

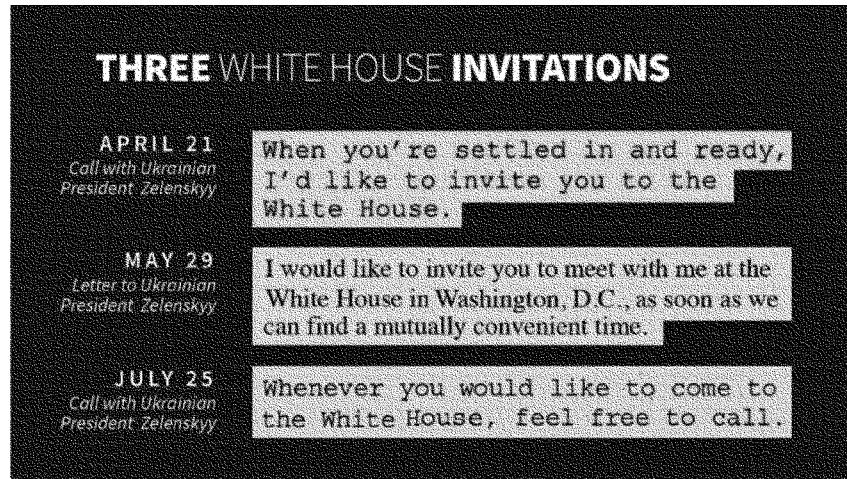
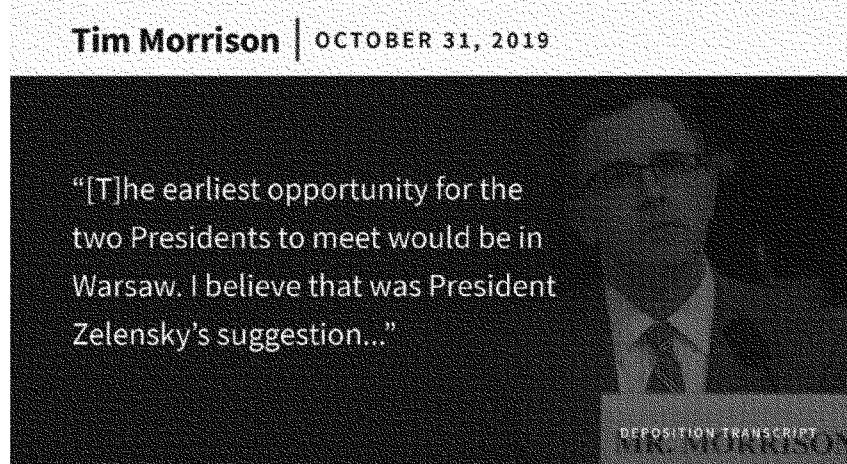
“And the VP responded by really expressing our ongoing support for Ukraine, but wanting to hear from President Zelensky, you know, what the status of his reform efforts were that he could then convey back to the President, and also wanting to hear if there was more that European countries could do to support Ukraine.”

DEPOSITION TRANSCRIPT

**SLIDE 518.** S. Doc. 116–18 Vol. II, Pg. 1118; 166 Cong. Rec. S586**Tim Morrison | OCTOBER 31, 2019**

“I am pleased our process gave the President the confidence he needed to approve the release of the security-sector assistance.”

DEPOSITION TRANSCRIPT

**SLIDE 519.** S. Doc. 116–18 Vol. II, Pg. 1119; 166 Cong. Rec. S586**SLIDE 520.** S. Doc. 116–18 Vol. II, Pg. 1120; 166 Cong. Rec. S586

**SLIDE 521.** S. Doc. 116–18 Vol. II, Pg. 1120; 166 Cong. Rec. S586

**Fiona Hill | OCTOBER 14, 2019**

“...it wasn’t always a White House meeting per se, but definitely a Presidential-level, you know, meeting with Zelensky and the President. I mean, it could’ve taken place in Poland...”

DEPOSITION TRANSCRIPT

**SLIDE 522.** S. Doc. 116–18 Vol. II, Pg. 1120; 166 Cong. Rec. S586

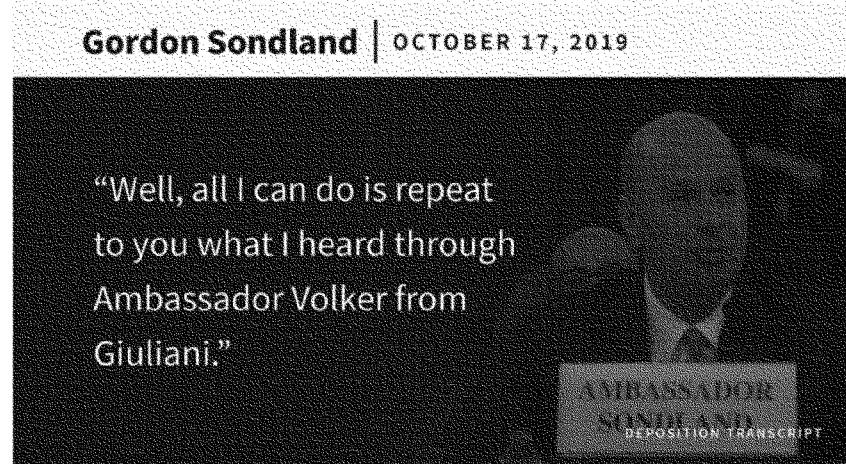
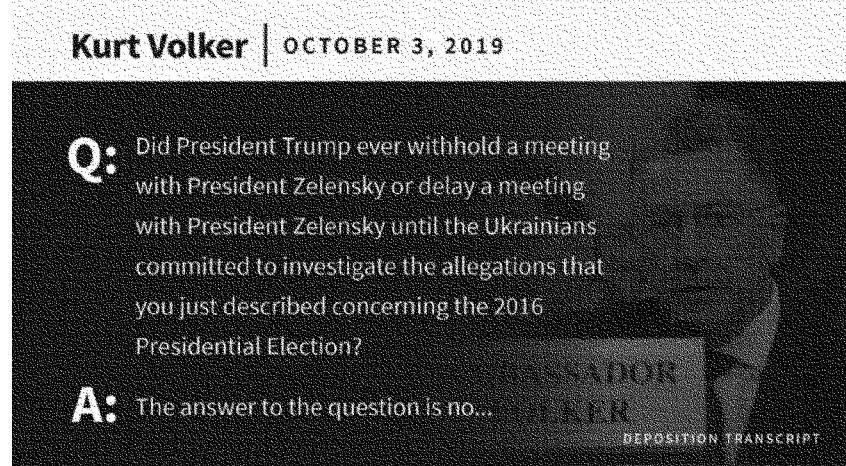
President Zelenskyy:

I am looking forward to our meeting and I also [ ] would like to invite you to visit Ukraine and [ ] come to the city of Kyiv which is a beautiful city.

On the other hand, I believe that on September 1 [ ] we will be in Poland and we can meet in [ ] Poland hopefully.

**President Trump's July 25 Call with Ukrainian President Zelenskyy**

JULY 25, 2019

**SLIDE 523.** S. Doc. 116–18 Vol. II, Pg. 1121; 166 Cong. Rec. S587**SLIDE 524.** S. Doc. 116–18 Vol. II, Pg. 1121; 166 Cong. Rec. S587

**SLIDE 525.** S. Doc. 116–18 Vol. II, Pg. 1121/1126; 166 Cong. Rec. S587/S589

**Kurt Volker | OCTOBER 3, 2019**

**Q:** [Y]ou were not aware of any linkage between the delay in the Oval Office meeting between President Trump and President Zelensky and the Ukrainian commitment to investigate the two allegations as you described them, correct?

**A:** Correct.

CDR  
DEPOSITION TRANSCRIPT

**SLIDE 526.** S. Doc. 116–18 Vol. II, Pg. 1122; 166 Cong. Rec. S587

**Jennifer Williams | NOVEMBER 7, 2019**

**Q:** You said that you were trying to fit the VP into that space when the President would be in the U.S. Is that correct?

**A:** That's correct. So we had informed the Ukrainians that if they wanted the Vice President to attend, the ideal dates for us would have been May 29th, May 30th, or June 1st, and if it wasn't one of those dates it would be very difficult or impossible.

DEPOSITION TRANSCRIPT

**SLIDE 527.** S. Doc. 116–18 Vol. II, Pg. 1126; 166 Cong. Rec. S589**Kurt Volker | OCTOBER 3, 2019**

**Q:** Can you explain a little bit more about what the President said about Rudy Giuliani in that meeting?

**A:** ...I think he said, not as an instruction but just as a comment, talk to Rudy, you know. He knows all of these things and they've got some bad people around him. [...] It was clear that he also had other sources. It wasn't only Rudy Giuliani.

DEPOSITION TRANSCRIPT

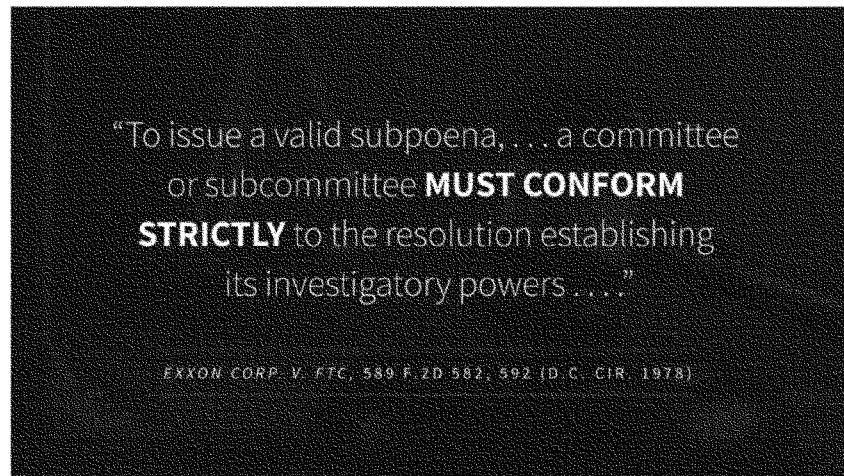
**SLIDE 528.** S. Doc. 116–18 Vol. II, Pg. 1126; 166 Cong. Rec. S589**Kurt Volker | OCTOBER 3, 2019**

**Q:** Was he – do you know whether he was conveying – Rudy Giuliani – conveying messages that President Trump wanted conveyed to the Ukrainians?

**A:** I did not have that impression. I believe that he was doing his own communication about what he believed and was interested in.

DEPOSITION TRANSCRIPT

**SLIDE 529.** S. Doc. 116–18 Vol. II, Pg. 1127; 166 Cong. Rec. S589**SLIDE 530.** S. Doc. 116–18 Vol. II, Pg. 1127; 166 Cong. Rec. S589

**SLIDE 531.** S. Doc. 116–18 Vol. II, Pg. 1127; 166 Cong. Rec. S589**SLIDE 532.** S. Doc. 116–18 Vol. II, Pg. 1129; 166 Cong. Rec. S590

**SLIDE 533.** S. Doc. 116–18 Vol. II, Pg. 1129; 166 Cong. Rec. S590

*February 6, 1974 Statement of Rep. Rodino*

CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE

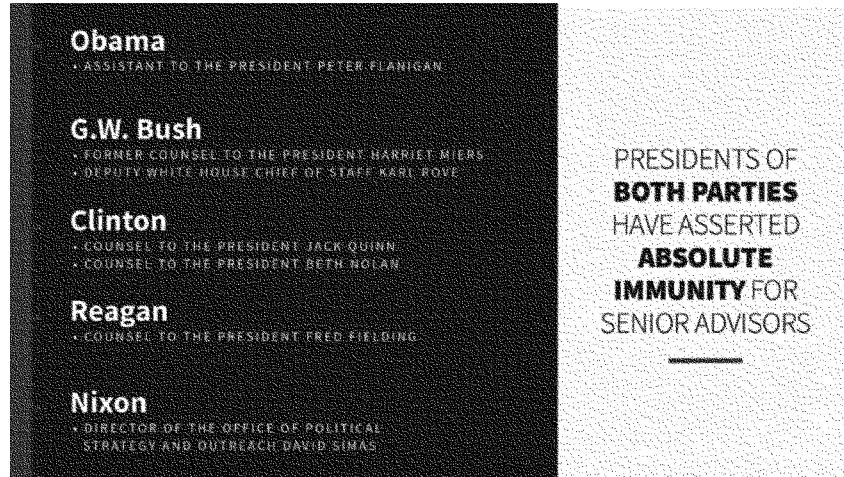
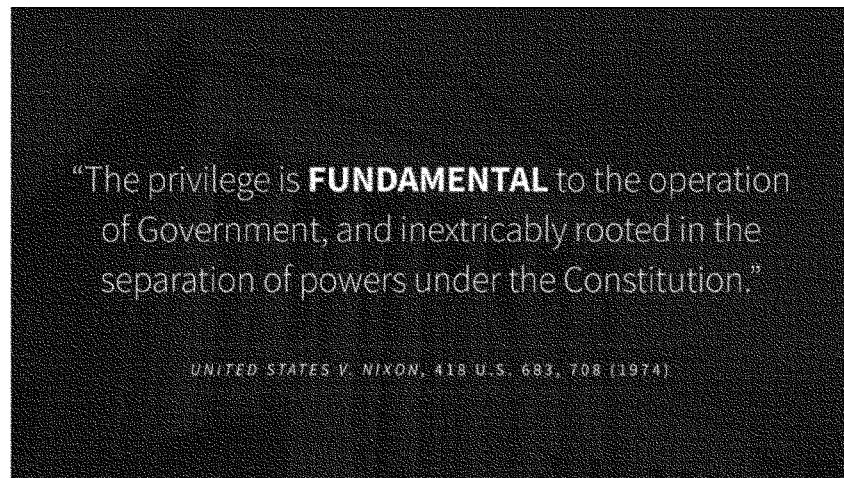
“Such a resolution has **ALWAYS** been passed by the House. .... It is a **NECESSARY STEP** if we are to meet our obligations.”

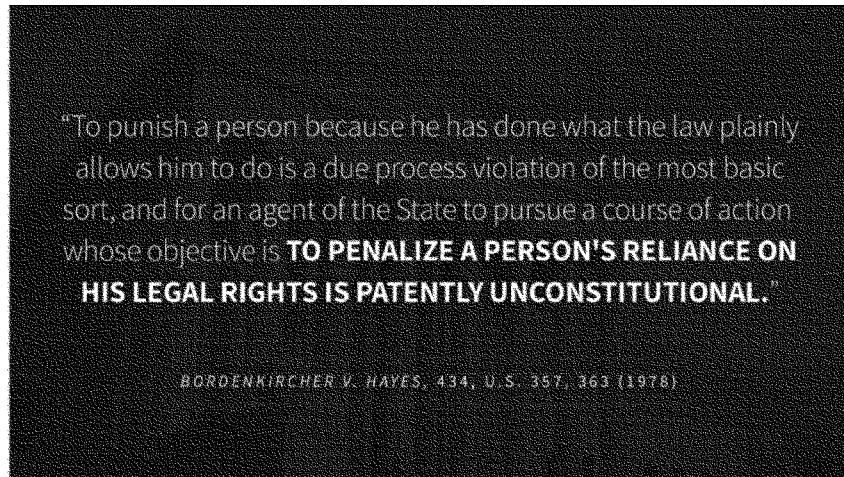
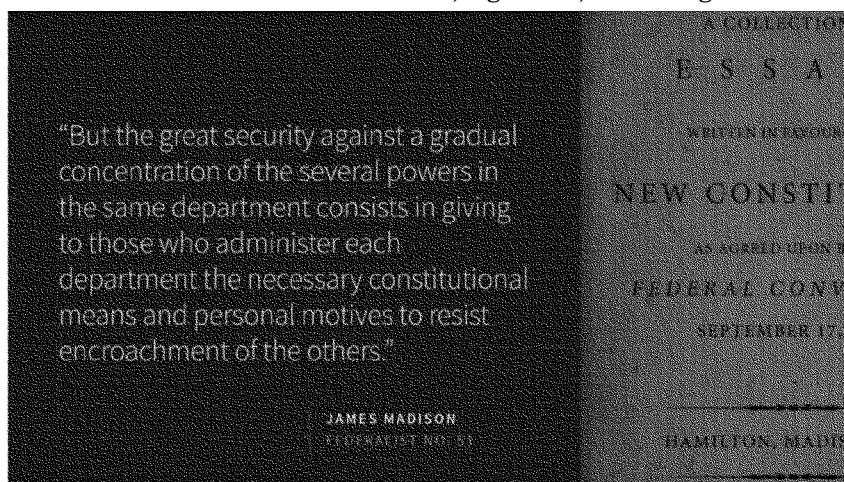
**SLIDE 534.** S. Doc. 116–18 Vol. II, Pg. 1133; 166 Cong. Rec. S591

OCTOBER 15, 2019

“Absent a delegation by a House Rule or a resolution of the House, **NONE OF YOUR COMMITTEES HAS BEEN DELEGATED JURISDICTION** to conduct an investigation pursuant to the impeachment power under **ARTICLE I, SECTION 2** of the Constitution.”

WHITE HOUSE OFFICE OF MANAGEMENT AND BUDGET  
LETTER TO CHAIRMAN SCHIFF

**SLIDE 535.** S. Doc. 116–18 Vol. II, Pg. 1133; 166 Cong. Rec. S591**SLIDE 536.** S. Doc. 116–18 Vol. II, Pg. 1134; 166 Cong. Rec. S592

**SLIDE 537.** S. Doc. 116–18 Vol. II, Pg. 1136; 166 Cong. Rec. S593**SLIDE 538.** S. Doc. 116–18 Vol. II, Pg. 1137; 166 Cong. Rec. S593

**SLIDE 539.** S. Doc. 116–18 Vol. II, Pg. 1144; 166 Cong. Rec. S596

| House Democrat Trial Memorandum

“These theories were **BASELESS**.  
[...] There was no factual basis for  
**EITHER INVESTIGATION.**”

**SLIDE 540.** S. Doc. 116–18 Vol. II, Pg. 1145; 166 Cong. Rec. S596

Kurt Volker | OCTOBER 3, 2019

“...very bad reputation  
as a company for **CORRUPTION**  
**AND MONEY LAUNDERING...**”

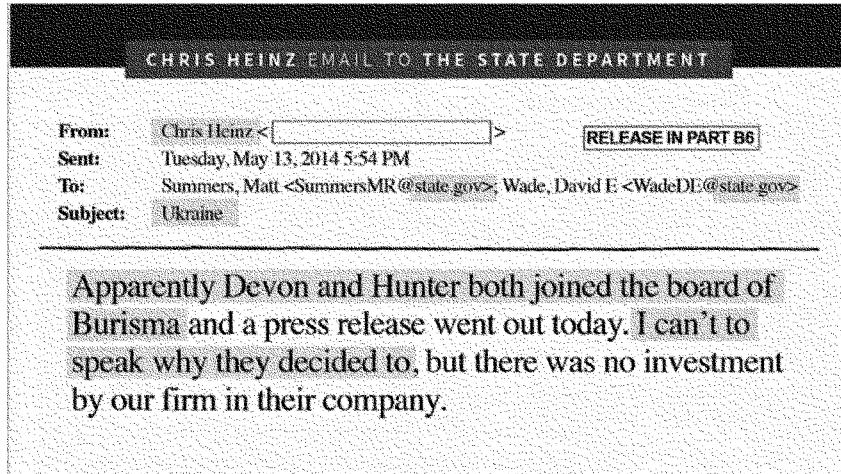
**SLIDE 541.** S. Doc. 116–18 Vol. II, Pg. 1146; 166 Cong. Rec. S596



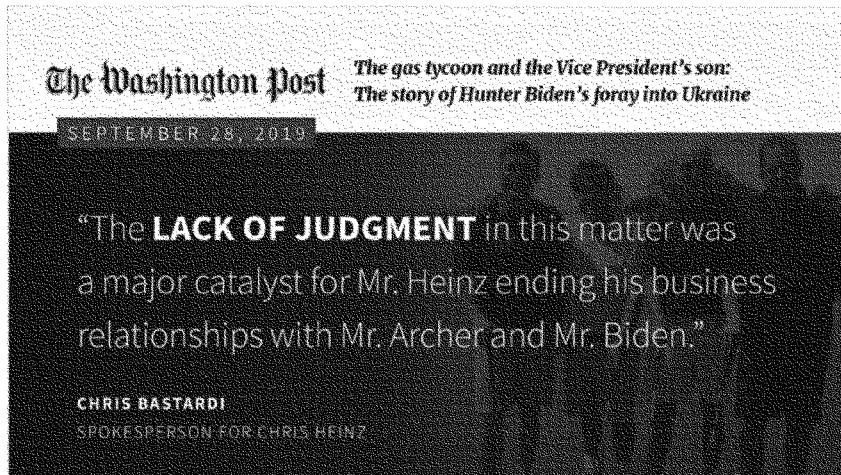
**SLIDE 542.** S. Doc. 116–18 Vol. II, Pg. 1146; 166 Cong. Rec. S596



**SLIDE 543.** S. Doc. 116–18 Vol. II, Pg. 1146/1155; 166 Cong. Rec. S596/S600



**SLIDE 544.** S. Doc. 116–18 Vol. II, Pg. 1146; 166 Cong. Rec. S596

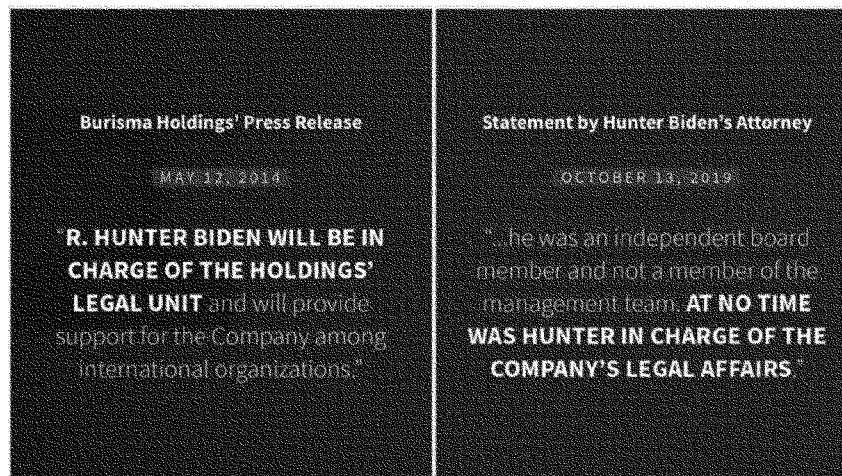


**SLIDE 545.** S. Doc. 116–18 Vol. II, Pg. 1146; 166 Cong. Rec. S596**SLIDE 546.** S. Doc. 116–18 Vol. II, Pg. 1147; 166 Cong. Rec. S597

Comments	Quantity	Price	Credit/Debit
BENE: BEVERLY HILLS ESCROW TRU ACCT: XXXX3627		\$1,200,000.00	
CONFIRMATION # 18659065 D 876-018475		(150,000.00)	
AS PRIVATBANK		83,333.33	
BURISMA HOLDINGS LIMITED		29,424.62	
AS PRIVATBANK		(30,000.00)	
BURISMA HOLDINGS LIMITED		142,300.00	
E Bank # 1026		(17,731.00)	
ABLV bank Latvia		(142,300.00)	
NOVATUS HOLDING PTE. LTD		24.76	
AUTOMATIC BILL PAYMENT		4.30	
BENE: SCHNEIDER NELSON MOTOR C ACCT: XXXXXXXX6760		\$1,264,943.86	
NA			

**SLIDE 547.** S. Doc. 116–18 Vol. II, Pg. 1147; 166 Cong. Rec. S597

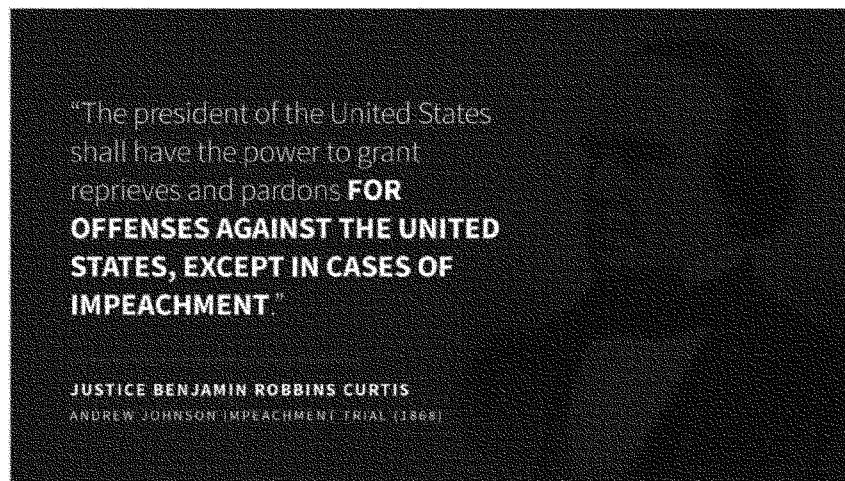
Comments	Quantity	Price	Credits/Debits
CONFIRMATION # 22624169			\$ (20,000.00)
TO 876-018475			
AUTOMATIC BILL PAYMENT		(11,510.25)	
BENE: ROBERT BIDEN		(20,000.00)	
ACCT: XXXXX5452			
Check # 1031		(3,500.00)	
Check # 1033		(1,600.00)	
Check # 1032		(845.50)	
AUTOMATIC BILL PAYMENT		(1,328.48)	
Restaurants CCL GB		(31.81)	
Restaurants		(0.64)	
BFMC - ROBERT BIDEN		(15,000.00)	
ACCT: XXXXX5452			
AS PRIVATBANK		83,333.33	
BURISMA HOLDINGS LIMITED			
AS PRIVATBANK		83,333.33	
BURISMA HOLDINGS LIMITED			
Check # 1034		(10,000.00)	
AUTOMATIC BILL PAYMENT		(32,293.10)	
		900,000.00	
CITIBANK FLORIDA FSB		15,000,000.00	
CLIFFORD A WOLFF, P.A.			
RETURNED BY BANK		(900,000.00)	
AS OF 09-09-14			

**SLIDE 548.** S. Doc. 116–18 Vol. II, Pg. 1154; 166 Cong. Rec. S599

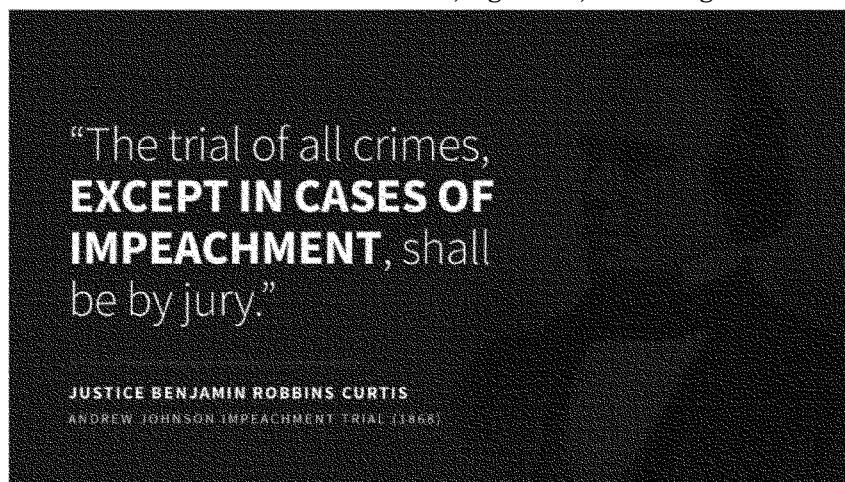
JANUARY 27, 2020

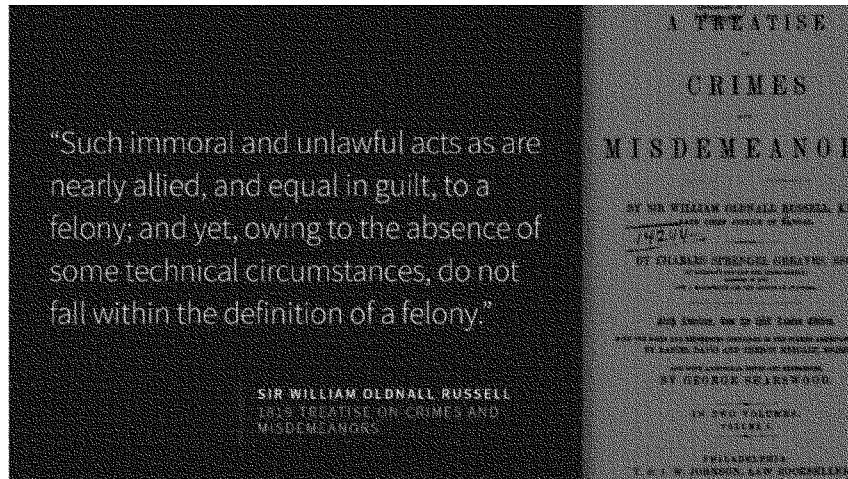
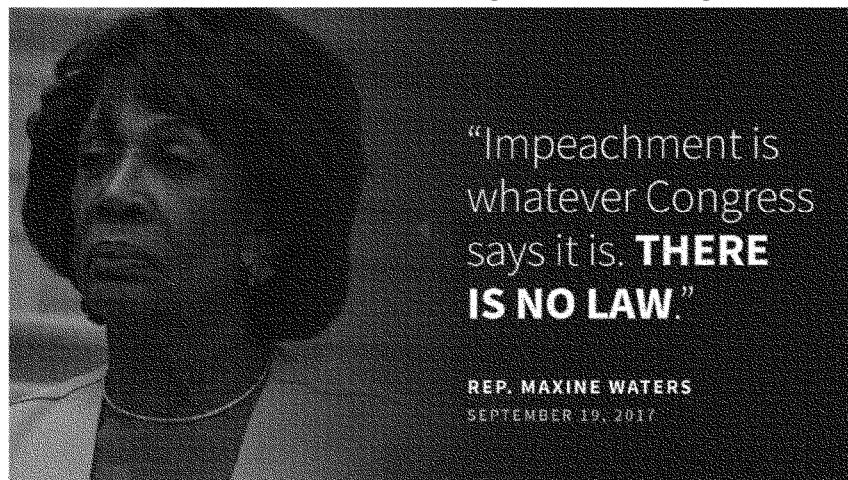
1855

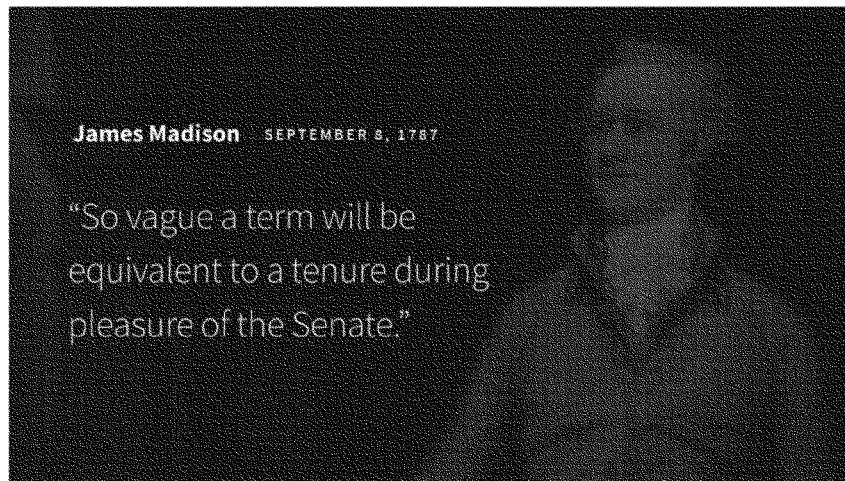
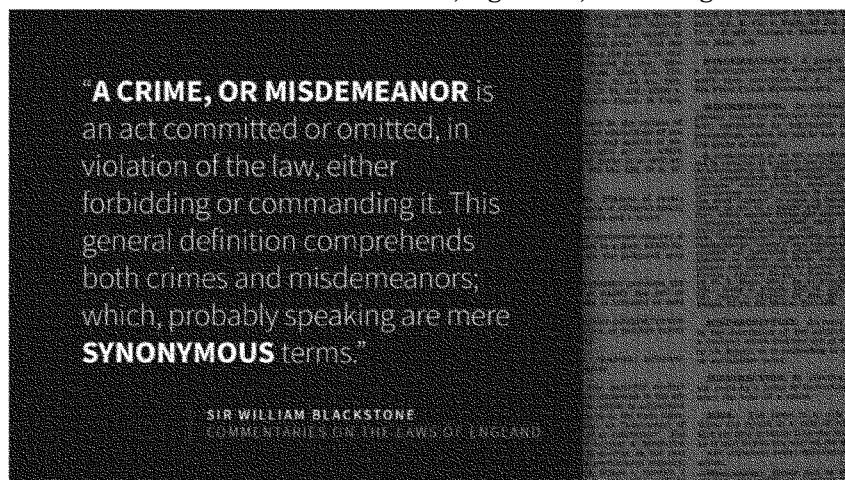
**SLIDE 549.** S. Doc. 116–18 Vol. II, Pg. 1182; 166 Cong. Rec. S610

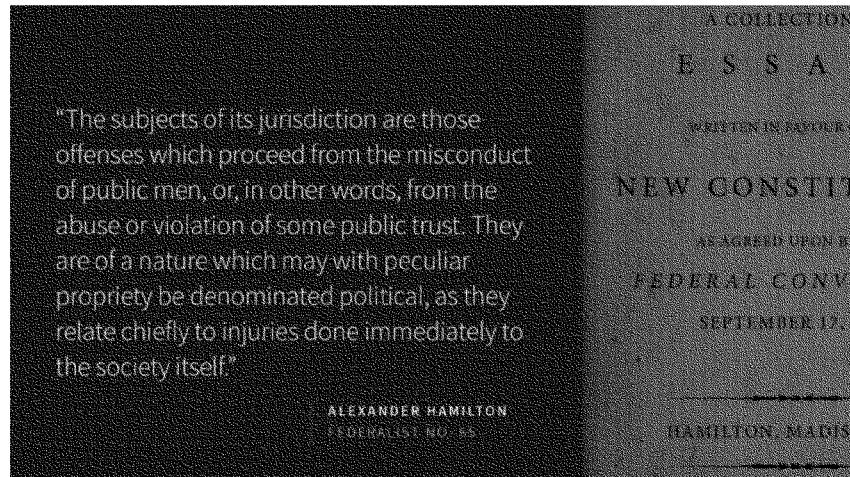


**SLIDE 550.** S. Doc. 116–18 Vol. II, Pg. 1183; 166 Cong. Rec. S610



**SLIDE 551.** S. Doc. 116–18 Vol. II, Pg. 1184; 166 Cong. Rec. S611**SLIDE 552.** S. Doc. 116–18 Vol. II, Pg. 1185; 166 Cong. Rec. S611

**SLIDE 553.** S. Doc. 116–18 Vol. II, Pg. 1187; 166 Cong. Rec. S612**SLIDE 554.** S. Doc. 116–18 Vol. II, Pg. 1188; 166 Cong. Rec. S612

**SLIDE 555.** S. Doc. 116-18 Vol. II, Pg. 1189; 166 Cong. Rec. S613

SLIDES 556–559

[166 CONG. REC. S580–613 (DAILY ED. JAN. 28, 2020)]

**SLIDE 556.** S. Doc. 116–18 Vol. II, Pg. 1206; 166 Cong. Rec. S621

Alexander Vindman | OCTOBER 29, 2019

“So I do **NOT** think there  
was malicious intent or  
anything of that nature to  
cover anything up.”

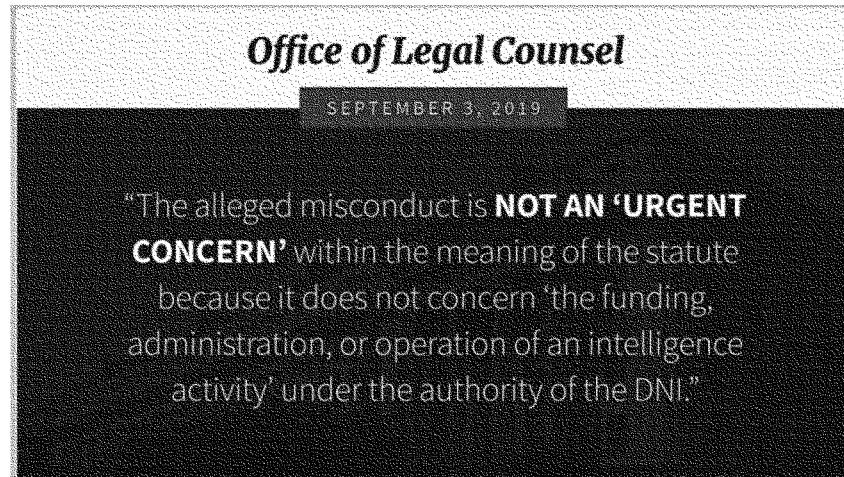
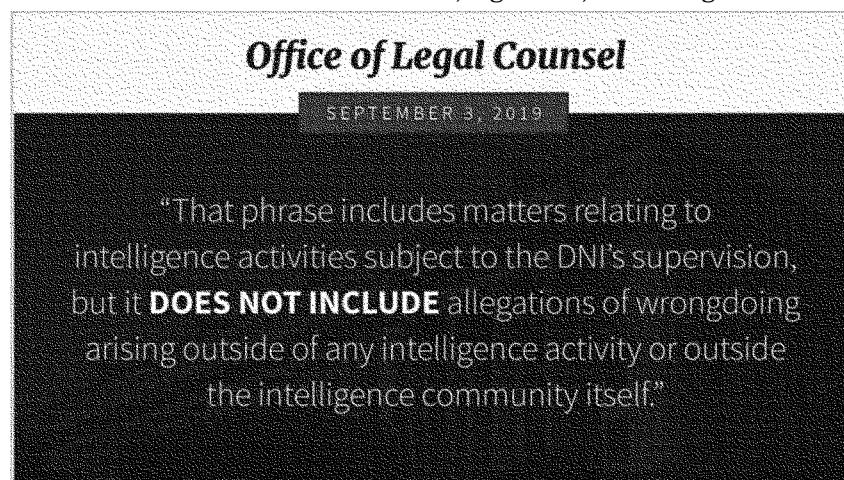
DEPOSITION TRANSCRIPT

**SLIDE 557.** S. Doc. 116–18 Vol. II, Pg. 1207; 166 Cong. Rec. S621

## URGENT CONCERN:

"A serious or flagrant problem, abuse, violation of law . . .  
relating to the funding, administration, or operation of  
an intelligence activity within the responsibility and  
authority of the Director of National Intelligence  
involving classified information . . ."

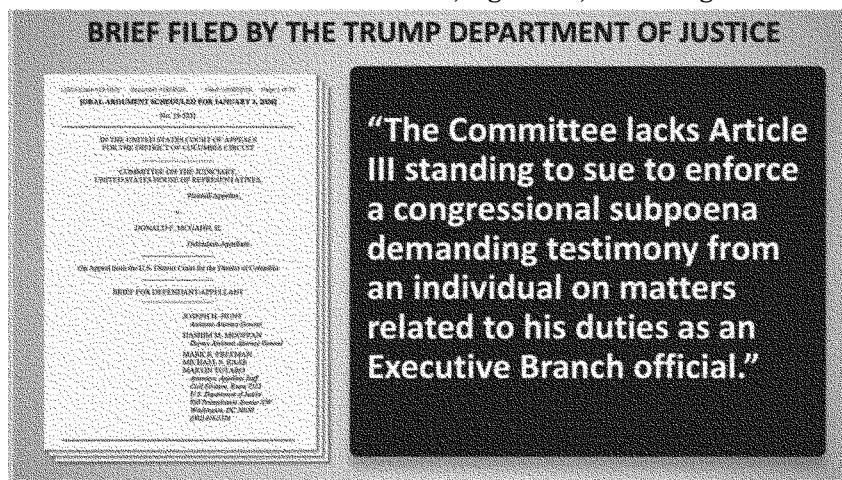
50 U.S.C. § 3033(k)(5)(G)(i)

**SLIDE 558.** S. Doc. 116–18 Vol. II, Pg. 1207; 166 Cong. Rec. S622**SLIDE 559.** S. Doc. 116–18 Vol. II, Pg. 1208; 166 Cong. Rec. S622

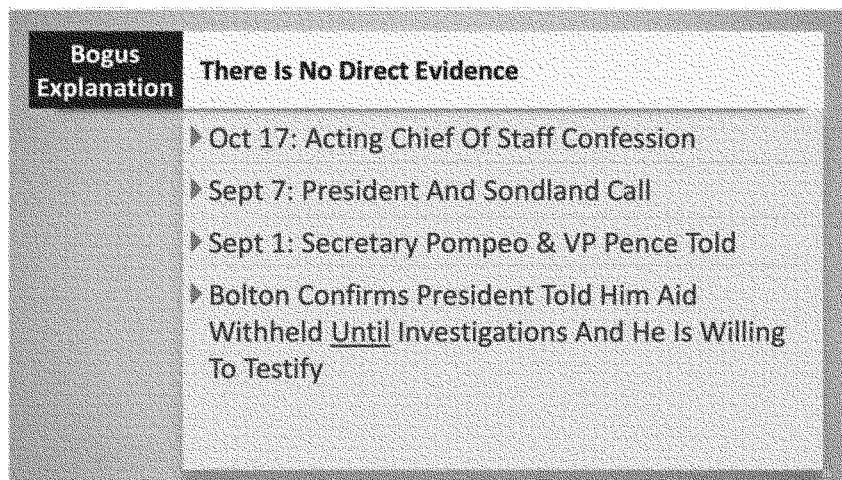
SLIDES 560–571

[166 CONG. REC. S647–686 (DAILY ED. JAN. 29, 2020)]

**SLIDE 560.** S. Doc. 116–18 Vol. II, Pg. 1226; 166 Cong. Rec. S647



**SLIDE 561.** S. Doc. 116–18 Vol. II, Pg. 1230; 166 Cong. Rec. S648



**SLIDE 562.** S. Doc. 116–18 Vol. II, Pg. 1232; 166 Cong. Rec. S649

### IMPEACHMENT DOES NOT REQUIRE A CRIME

#### A “criminality” requirement:

- ▶ Rejected by the text of the Constitution
- ▶ Rejected by Framers of the Constitution
- ▶ Rejected by multiple Supreme Court justices
- ▶ Rejected in numerous judicial impeachments
- ▶ Rejected in the Nixon and Clinton cases

**SLIDE 563.** S. Doc. 116–18 Vol. II, Pg. 1266; 166 Cong. Rec. S662

### UKRAINE KNEW ABOUT THE HOLD EARLY ON

July 25

Ex-Top Kyiv Official: “We Had This Information”

Week Of  
July 25

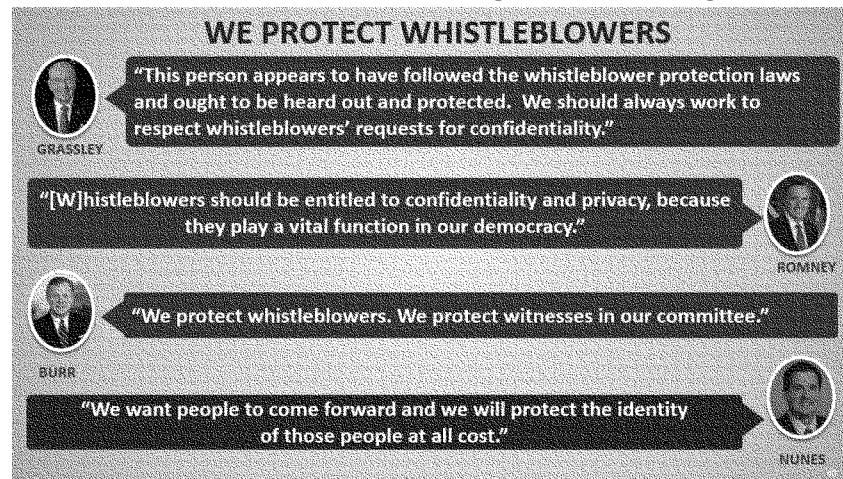
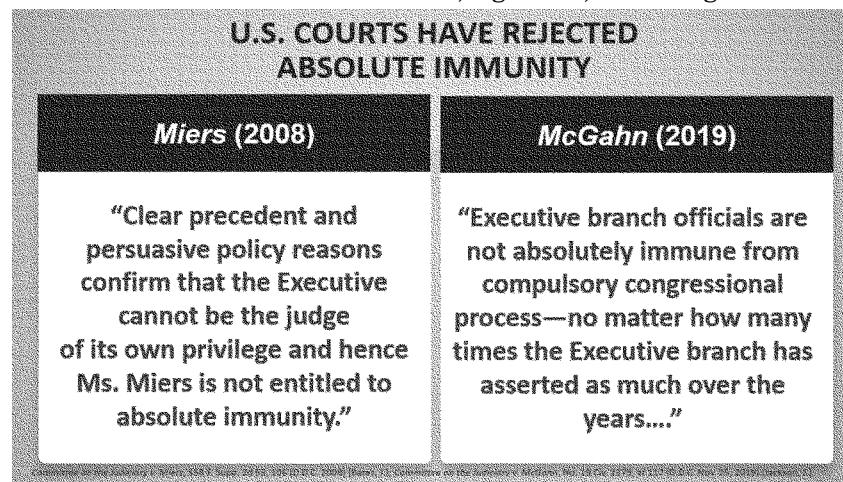
Cooper: Two E-mails That Ukraine Embassy Asking About Aid

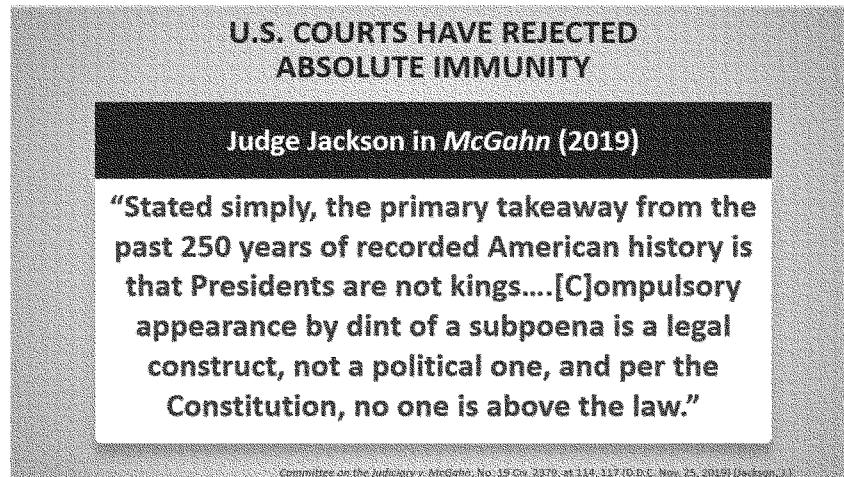
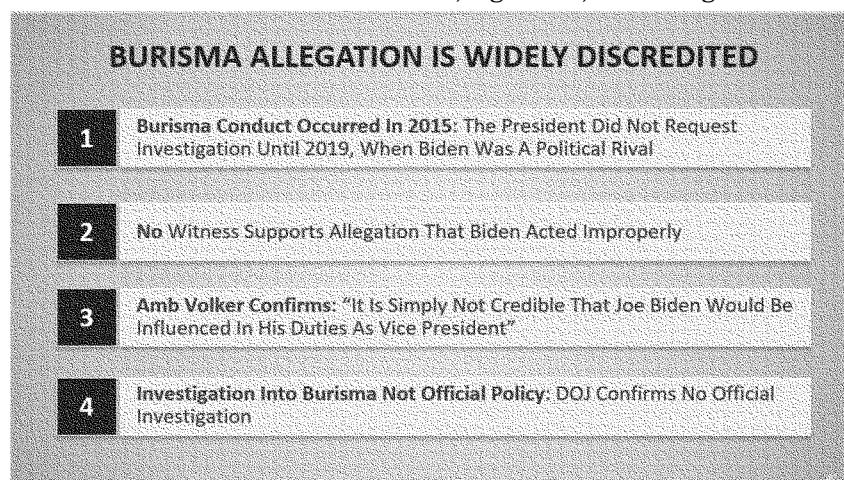
July

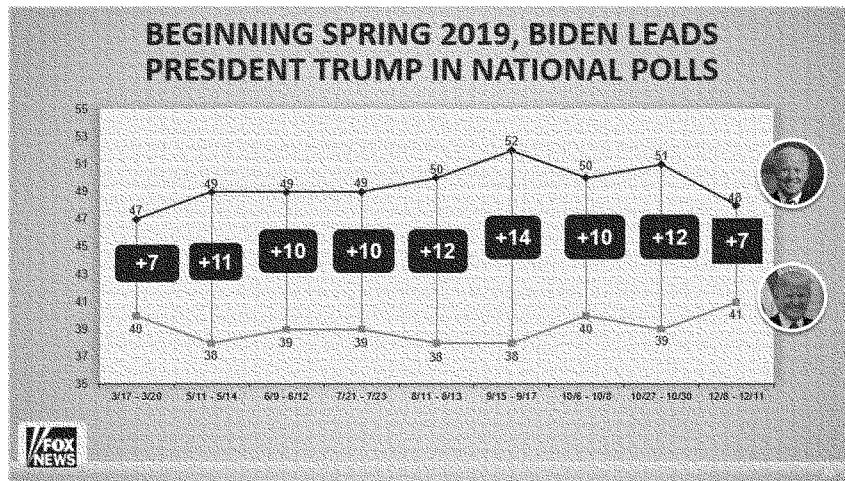
Croft: Overtures From Ukraine About Aid

Mid-Aug

Lt. Col. Vindman: Receives Light Inquiries From Ukraine Re Hold

**SLIDE 564.** S. Doc. 116–18 Vol. II, Pg. 1273; 166 Cong. Rec. S665**SLIDE 565.** S. Doc. 116–18 Vol. II, Pg. 1282; 166 Cong. Rec. S668

**SLIDE 566.** S. Doc. 116–18 Vol. II, Pg. 1282; 166 Cong. Rec. S668**SLIDE 567.** S. Doc. 116–18 Vol. II, Pg. 1297; 166 Cong. Rec. S674

**SLIDE 568.** S. Doc. 116–18 Vol. II, Pg. 1298; 166 Cong. Rec. S674**SLIDE 569.** S. Doc. 116–18 Vol. II, Pg. 1301; 166 Cong. Rec. S676

Bogus Explanation	President Trump Cared About Corruption
	<ul style="list-style-type: none"> <li>▶ Neither April 21 Or July 25 Call With Zelensky Mention Word “Corruption”</li> <li>▶ DOD Certified Ukraine Met Anti-Corruption Benchmarks Months Before Hold</li> <li>▶ By July 25, Zelensky Established Anti-Corruption Agenda</li> <li>▶ President Trump Pursued Baseless Investigations For His Own Political Benefit</li> </ul>

**SLIDE 570.** S. Doc. 116–18 Vol. II, Pg. 1321; 166 Cong. Rec. S683

**MR. GIULIANI ACTED WITH THE PRESIDENT'S  
KNOWLEDGE AND CONSENT**

May 10, 2019.

President-Elect Volodymyr Oleksandrovych Zelensky  
c/o Ministry of Internal Affairs of Ukraine

Dear President-Elect Zelensky:

However, I have a more specific request. In my capacity as personal counsel to President Trump and with his knowledge and consent, I request a meeting with you on this upcoming Monday, May 13<sup>th</sup> or Tuesday, May 14<sup>th</sup>. I will need no more than a half-hour of your time and I will be accompanied by my colleague Victoria Toensing, a distinguished American attorney who is very familiar with this matter.

Sincerely,



**SLIDE 571.** S. Doc. 116–18 Vol. II, Pg. 1329; 166 Cong. Rec. S686

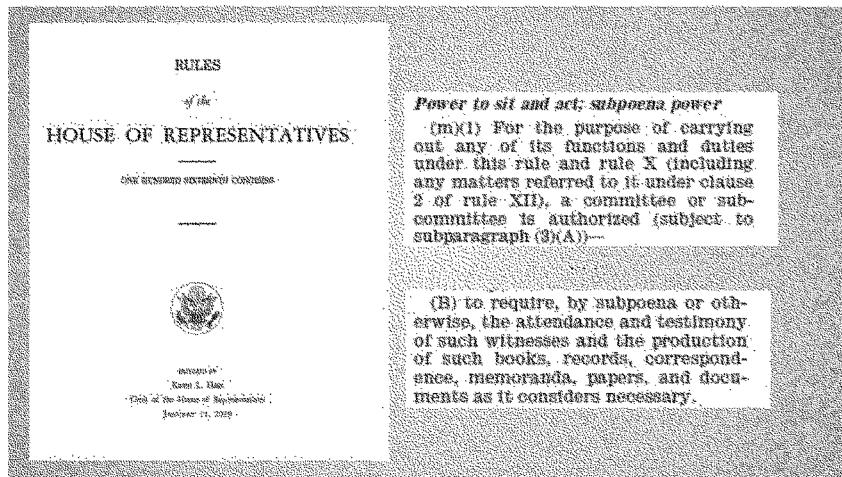
**PRESIDENT TRUMP MUST BE REMOVED:  
NO ONE IS ABOVE THE LAW**

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>▶ Used Powers Of Office To Solicit Foreign Interference</li><br/><li>▶ President Trump Conditioned Military Aid And A White House Meeting On Political Investigations</li></ul> | <ul style="list-style-type: none"><li>▶ Grave Consequences</li><br/><li>▶ The President Remains An Ongoing Threat</li><br/><li>▶ Acting Chief Of Staff Mulvaney: "Get Over It"</li></ul> |
|---|--|

## SLIDES 572–580

[166 CONG. REC. S693–729 (DAILY ED. JAN. 30, 2020)]

**SLIDE 572.** S. Doc. 116–18 Vol. II, Pg. 1343/1350; 166 Cong. Rec. S693/S696



**SLIDE 573.** S. Doc. 116–18 Vol. II, Pg. 1345; 166 Cong. Rec. S694

UKRAINE KNEW ABOUT THE HOLD EARLY ON	
July 25	<b>Ex-Top Kyiv Official:</b> "We Had This Information"
Week Of July 25	<b>Cooper:</b> Two E-mails That Ukraine Embassy Asking About Aid
July	<b>Croft:</b> Overtures From Ukraine About Aid
Mid-Aug	<b>Lt. Col. Vindman:</b> Receives Light Inquiries From Ukraine Re Hold

**SLIDE 574.** S. Doc. 116–18 Vol. II, Pg. 1359; 166 Cong. Rec. S699

**THE SENATE SHOULD SUBPOENA STATE DEPT. EMAILS**

TRANSCRIPTION		
Exhibit 4 – Friday, July 19, 2019		
Email	Robert Blair. Lisa Kenna. Brian McCormack. Mick Mulvaney. Rick Perry. Mike Pompeo, and Gordon Sondland	<b>Subject: Re: I Talked to Zelensky just now</b> <b>15:28 Gordon Sondland:</b> He is prepared to receive Pots' call. Will assure him that he intends to run a fully transparent investigation and will "turn over every stone". He would greatly appreciate a call prior to Sunday so that he can put out some media about a "friendly and productive call" (no details) prior to Ukraine election on Sunday. <b>21:30 Rick Perry (replying to McCormack and Sondland only):</b> Mick just confirmed the call being set up for tomorrow by NSC. RP <b>22:25 Mick Mulvaney (replying to all):</b> I asked NSC to set it up for tomorrow. NM

2016-17-201 Statement of Sondland, p. 21

**SLIDE 575.** S. Doc. 116–18 Vol. II, Pg. 1369; 166 Cong. Rec. S703

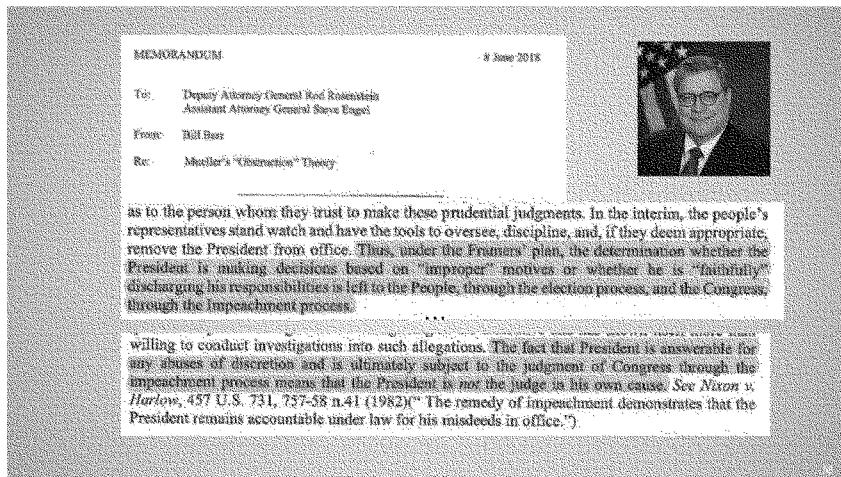
**BASELESS DEFIANCE OF SUBPOENAS**

Judge Thomas Griffith	Department of Justice
<b>"[T]hey can make it a grounds for impeachment for obstruction of Congress"</b>	<b>Impeachment "is certainly one of the tools that Congress has."</b>

JANUARY 30, 2020

1869

**SLIDE 576.** S. Doc. 116–18 Vol. II, Pg. 1371; 166 Cong. Rec. S704



**SLIDE 577.** S. Doc. 116–18 Vol. II, Pg. 1389; 166 Cong. Rec. S710

**Debunked Conspiracy**

**Ukraine—Not Russia—Interfered In 2016 Election**

- ***None Of The 17 Witnesses Support Allegation***
- ***FBI Director Wray: "No Information That Indicates That Ukraine Interfered"***
- ***President Trump's Homeland Security Advisor: "It's Not Only A Conspiracy Theory, It's Completely Debunked"***
- ***Fiona Hill: "Fictional Narrative" Perpetrated By Russia***
- ***U.S. Intelligence Community and Special Counsel Mueller: Russia Interfered***
- ***Putin Benefits From Allegation: "Thank God, no one is accusing us of interfering in the U.S. elections anymore, Now they're accusing Ukraine."***

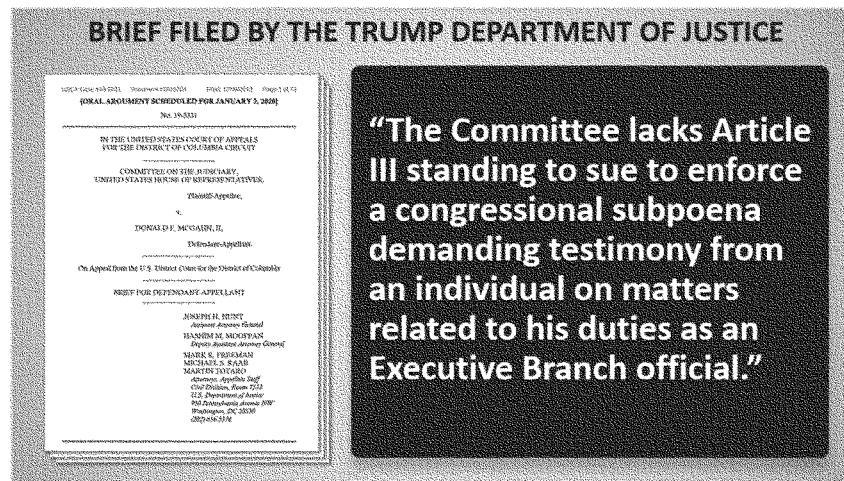
**SLIDE 578.** S. Doc. 116–18 Vol. II, Pg. 1437; 166 Cong. Rec. S729

<b>U.S. COURTS HAVE REJECTED ABSOLUTE IMMUNITY</b>	
<i>Miers (2008)</i>	<i>McGahn (2019)</i>
<p>“Clear precedent and persuasive policy reasons confirm that the Executive cannot be the judge of its own privilege and hence Ms. Miers is not entitled to absolute immunity.”</p>	<p>“Executive branch officials are not absolutely immune from compulsory congressional process—no matter how many times the Executive branch has asserted as much over the years....”</p>

**SLIDE 579.** S. Doc. 116–18 Vol. II, Pg. 1438; 166 Cong. Rec. S729

<b>U.S. COURTS HAVE REJECTED ABSOLUTE IMMUNITY</b>
<p>Judge Jackson in <i>McGahn</i> (2019)</p> <p>“Stated simply, the primary takeaway from the past 250 years of recorded American history is that Presidents are not kings....[C]ompulsory appearance by dint of a subpoena is a legal construct, not a political one, and per the Constitution, no one is above the law.”</p>

**SLIDE 580.** S. Doc. 116–18 Vol. II, Pg. 1438; 166 Cong. Rec. S729





SLIDES 581–608

[166 CONG. REC. S753–760 (DAILY ED. JAN. 31, 2020)]

**SLIDE 581.** S. Doc. 116–18 Vol. II, Pg. 1465; 166 Cong. Rec. S753

**The New York Times**

**Bolton says Trump's aides heard the president ask him in the Oval Office to help pressure Ukraine.**

John R. Bolton, put top aides in the room when Mr. Trump asked Mr. Bolton to help with his pressure campaign on Ukraine.

Mr. Trump gave the instruction, Mr. Bolton wrote, in the Oval Office in early May and in front of the acting White House chief of staff, Mick Mulvaney, the president's personal lawyer Rudolph W. Giuliani and the White House counsel, Pat A. Cipollone, who is now leading the president's impeachment defense.

The account supports testimony from witnesses who testified in the House impeachment inquiry, including Gordon D. Sondland, who said that "everyone was in the loop."

Source: www.nytimes.com/2020/01/31/us/politics/trump-impeachment-trial-senate.html?utm\_source=Email%20Newsletter&utm\_medium=Email%20Newsletter&utm\_campaign=Email%20Newsletter

**SLIDE 582.** S. Doc. 116–18 Vol. II, Pg. 1466; 166 Cong. Rec. S754

HUNDREDS OF YEARS OF PRECEDENT			
Impeached Official	Witnesses	Impeached Official	Witnesses
Judge Pickering (1804)	11	Judge Archbald (1913)	112
Justice Chase (1805)	49	Judge Louderback (1933)	44
Judge Peck (1830-31)	19	Judge Ritter (1936)	25
Judge Humphreys (1862)	9	Judge Claiborne (1986)	19
President Johnson (1868)	40	Judge Hastings (1989)	55
Sec. of War Belknap (1876)	40	Judge Nixon (1989)	10
Judge Swayne (1905)	44	President Clinton (1999)	3
		Judge Porteous (2010)	26
<b>Average # Witnesses Per Senate Trial</b>		<b>33</b>	

**SLIDE 583.** S. Doc. 116–18 Vol. II, Pg. 1467/1472; 166 Cong. Rec. S754/S756

The screenshot shows a news article from The New York Times. The headline reads: "Trump Tied Ukraine Aid to Inquiries He Sought, Bolton Book Says". The main text of the article states: "President Trump told his national security adviser in August that he wanted to continue freezing \$391 million in security assistance to Ukraine until officials there helped with investigations into Democrats including the Bidens, according to an unpublished manuscript by the former adviser, John R. Bolton." Below the article is a URL: [https://www.nytimes.com/2020/01/26/us/politics/trump-bolton-book-ukraine.html?utm\\_term=.903e403a8a](https://www.nytimes.com/2020/01/26/us/politics/trump-bolton-book-ukraine.html?utm_term=.903e403a8a)

**SLIDE 584.** S. Doc. 116–18 Vol. II, Pg. 1468; 166 Cong. Rec. S755

The screenshot shows a presentation slide with a title "IMPORTANCE OF OBTAINING EVIDENCE". Below the title is a bulleted list under the heading "▶ Fundamental Fairness Requires Evidence in Trials":

- ▶ **Fundamental Fairness Requires Evidence in Trials**
- ▶ **History & Precedent: New Evidence in All 15 Full Senate Impeachment Trials**
  - 1. Witnesses in Every Trial
  - 2. Average Witnesses Heard: 33
  - 3. Hundreds or Thousand of Pages of New Documents

JANUARY 31, 2020

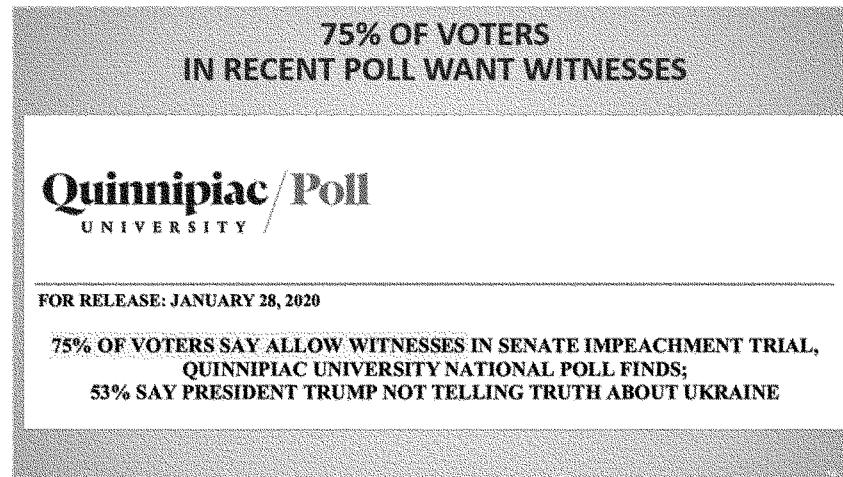
1875

**SLIDE 585.** S. Doc. 116–18 Vol. II, Pg. 1469; 166 Cong. Rec. S755



**SLIDE 586.** S. Doc. 116–18 Vol. II, Pg. 1469; 166 Cong. Rec. S755



**SLIDE 587.** S. Doc. 116–18 Vol. II, Pg. 1471; 166 Cong. Rec. S756**SLIDE 588.** S. Doc. 116–18 Vol. II, Pg. 1471; 166 Cong. Rec. S756

**SLIDE 589.** S. Doc. 116–18 Vol. II, Pg. 1472; 166 Cong. Rec. S756

**WHITE HOUSE DOCUMENTS ARE NECESSARY**

<https://twitter.com/realdonaldtrump/status/122496763763008515>

**SLIDE 590.** S. Doc. 116–18 Vol. II, Pg. 1472; 166 Cong. Rec. S756

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**

1	<b><u>Top Aide: President's Motive And Ukraine Perspective</u></b>
2	<b><u>Direct Knowledge Of Key Events: July 10 "Drug Deal"</u></b>
3	<b><u>Direct Knowledge Of Mr. Giuliani's Role</u></b>
4	<b><u>Predicted July 25 Call Would Be A "Disaster"</u></b>
5	<b><u>Direct Knowledge Of Foreign Policy Concerns Surrounding Freeze On Military</u></b>

A small portrait of Ambassador John Bolton is positioned next to the first reason.

Ambassador John Bolton

**SLIDE 591.** S. Doc. 116–18 Vol. II, Pg. 1472; 166 Cong. Rec. S756

**The New York Times** *Trump Tied Ukraine Aid to Inquiries He Sought, Bolton Book Says*

...[N]ew details about senior cabinet officials who have publicly tried to sidestep involvement

For example, Secretary of State Mike Pompeo acknowledged privately that there was no basis to claims by the president's lawyer Rudolph W. Giuliani that the ambassador to Ukraine was corrupt

And the acting White House chief of staff, Mick Mulvaney, was present for at least one phone call where the president and Mr. Giuliani discussed the ambassador

www.nytimes.com/2020/03/20/us/trump-book-ukraine.html?utm\\_referrer=share

**SLIDE 592.** S. Doc. 116–18 Vol. II, Pg. 1473/1473; 166 Cong. Rec. S756/S756

**AMB. BOLTON'S TESTIMONY: 5 KEY REASONS**

**2 Direct Knowledge Of Key Events:  
July 10 "Drug Deal"**

**1**   
Ambassador John Bolton

- ▶ Hill: "The specific instruction was that I had to go to the lawyers—to John Eisenberg our senior counsel for the National Security Council—to basically say: You tell Eisenberg, Ambassador Bolton told me, that I am not part of this whatever drug deal that Mulvaney and Sondland are cooking up."

SLIDE 593. S. Doc. 116–18 Vol. II, Pg. 1473; 166 Cong. Rec. S757

The screenshot shows a news article from The Daily Beast. The title is *Top Ukraine Official: I Trusted Bolton More Than Anyone*. The text discusses Danylyuk's experience with the July 10 meeting, mentioning Zelensky aide Andriy Yermak, Sondland's interruption, and Bolton's ending of the meeting. It also quotes Danylyuk about the roadmap for U.S.-Ukraine relations.

Danylyuk said he and his team, which included Zelensky aide Andriy Yermak, “couldn’t conclude [the July 10 meeting] properly” because as The Daily Beast previously reported, Sondland interrupted the conversation to bring up the demands from Trump that Zelensky agree to the investigation of the Bidens. Soon after Sondland’s interjection, Bolton ended the official meeting.

“This roadmap [for U.S.-Ukraine relations] should have been the substance but... [the investigations] were raised,” Danylyuk said.

SLIDE 594. S. Doc. 116–18 Vol. II, Pg. 1473; 166 Cong. Rec. S757

The screenshot shows a news article from The Daily Beast. The title is *Top Ukraine Official: I Trusted Bolton More Than Anyone*. The text discusses Danylyuk's perspective on being dragged into internal politics between the U.S. and Ukraine, and his desire for serious discussions between the two countries.

“At that time it was clear to me that we should not be dropped into this battle at all,” Danylyuk said. “If we were dragged into this internal process... that would be really bad for the country. And also, if there’s something that violates U.S. law, that’s up to the U.S. to handle.”

“[T]here are some serious things that we need to discuss and agree on between the two countries. And that needs to be where the attention goes,” Danylyuk told The Daily Beast about his conversation with U.S. representatives at the time. “And if we’re talking about dragging us into internal politics... using our president who was fresh on the job, inexperienced... that could just destroy everything.”

SLIDE 595. S. Doc. 116–18 Vol. II, Pg. 1473; 166 Cong. Rec. S757

The screenshot shows a news article from The Daily Beast. The title at the top right reads "Top Ukraine Official: I Trusted Bolton More Than Anyone". The main quote, attributed to Danylyuk, is displayed in a large, bold font: "I would say it was definitely John who I trusted," Danylyuk said. "I think John, because we worked together on trying to set up an official framework for a U.S.-Ukraine relationship." Below the quote is a small URL: <https://www.thedailybeast.com/cleksandr-danylyuk-former-top-ukraine-official-says-he-trusted-john-bolton-more-than-anyone>.

SLIDE 596. S. Doc. 116–18 Vol. II, Pg. 1474/1474; 166 Cong. Rec. S757/S757

The screenshot shows a slide titled "AMB. BOLTON'S TESTIMONY: 5 KEY REASONS". The third reason listed is "3 Direct Knowledge Of Mr. Giuliani's Role". To the left of the text is a small portrait of Ambassador John Bolton. Below the portrait is the caption "Ambassador John Bolton". To the right of the title are three bullet points:

- ▶ Giuliani is a “hand grenade who’s going to blow everybody up”
- ▶ “[N]obody should be meeting with Giuliani”
- ▶ Amb. Bolton was “closely monitoring what Mr. Giuliani was doing”

SLIDE 597. S. Doc. 116–18 Vol. II, Pg. 1474; 166 Cong. Rec. S757

#### AMB. BOLTON'S TESTIMONY: 5 KEY REASONS

4

##### Predicted July 25 Call Would Be A “Disaster”



Ambassador John  
Bolton

- ▶ Hesitant about arranging for the President and Zelensky to speak
- ▶ Predicted the President would raise “investigations or worse”
- ▶ “Thought it was going to be a disaster”

SLIDE 598. S. Doc. 116–18 Vol. II, Pg. 1474; 166 Cong. Rec. S757

DAILY BEAST

*Top Ukraine Official: I Trusted Bolton More Than Anyone*

“One thing I can tell you that was clear from this [July 25] call is that issue [of the investigations] is an issue of concern for Trump. It was clear,” Danylyuk said.

<https://www.thedailybeast.com/oleksandr-danylyuk-former-top-ukraine-official-says-he-trusted-john-bolton-more-than-anyone>

**SLIDE 599.** S. Doc. 116–18 Vol. II, Pg. 1474; 166 Cong. Rec. S757

### AMB. BOLTON'S TESTIMONY: 5 KEY REASONS

5

**Actively Involved In President's Freeze On Ukraine Military Aid**

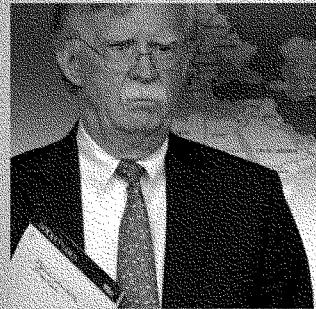


Ambassador John  
Bolton

- ▶ **Led Process To Convince President To Release Aid**
- ▶ **Direct Knowledge Of Any Legitimate Policy Reason To Withhold Aid**

**SLIDE 600.** S. Doc. 116–18 Vol. II, Pg. 1475; 166 Cong. Rec. S757

### IN AMERICA, TRUTH MATTERS



"The idea that somehow testifying to what you think is true is destructive to the system of government we have — I think, is very nearly the reverse, the exact reverse of the truth."

- January 30, 2020

<https://www.kfan.com/news/no-guts-no-sense-john-bolton-votes-support-for-officials-called-in-impeachment-hearing/>

SLIDE 601. S. Doc. 116–18 Vol. II, Pg. 1475; 166 Cong. Rec. S758

**MR. MULVANEY TESTIMONY: 4 KEY REASONS**



Mick Mulvaney

- 1 Top Aide:**  
President's Motive And Intent
- 2 Critical Role Planning Scheme:**  
Everyone Was In The Loop
- 3 Critical Role Implementing Scheme:**  
Key Insight Into Freeze On Aid
- 4 Mr. Mulvaney's Confession:**  
October 17 Press Conference

SLIDE 602. S. Doc. 116–18 Vol. II, Pg. 1476; 166 Cong. Rec. S758

**MR. MULVANEY TESTIMONY: 4 KEY REASONS**



Mick Mulvaney

- 2 Critical Role Planning Scheme**
  - Ambassador Sondland: "Everyone Was In The Loop" And The Ukraine Scheme "Was No Secret," Including To Mr. Mulvaney

**SLIDE 603.** S. Doc. 116–18 Vol. II, Pg. 1476; 166 Cong. Rec. S758

**JULY 19, 2019**

**Exhibit 4 – Friday, July 19, 2019**

Email	Subject: Re: I Talked to Zelensky just now
Robert Blair, Lisa Kenna, Brian McCormack, Mick Mulvaney, Rick Perry, Mike Pompeo, and Gordon Sondland	<p><b>15:28 Gordon Sondland:</b> He is prepared to receive Potus' call. Will assure him that he intends to run a fully transparent investigation and will "turn over every stone". He would greatly appreciate a call prior to Sunday so that he can put out some media about a "friendly and productive call" (no details) prior to Ukraine election on Sunday.</p> <p><b>21:30 Rick Perry (replying to McCormack and Sondland only):</b> Mick just confirmed the call being set up for tomorrow by NSC. RP</p> <p><b>22:25 Mick Mulvaney (replying to all):</b> I asked NSC to set it up for tomorrow. MM</p>

**SLIDE 604.** S. Doc. 116–18 Vol. II, Pg. 1477; 166 Cong. Rec. S758

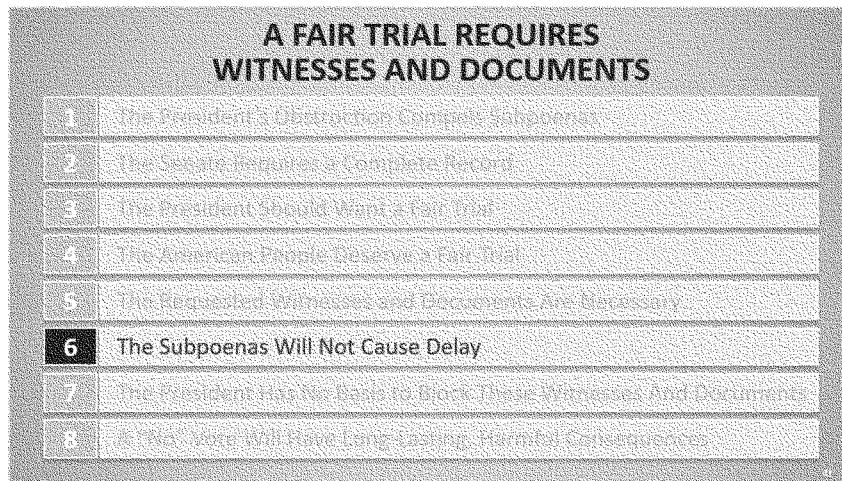
**MR. MULVANEY TESTIMONY: 4 KEY REASONS**

**3 Critical Role Implementing Scheme:  
Key Insight Into Freeze On Aid**



Mick Mulvaney

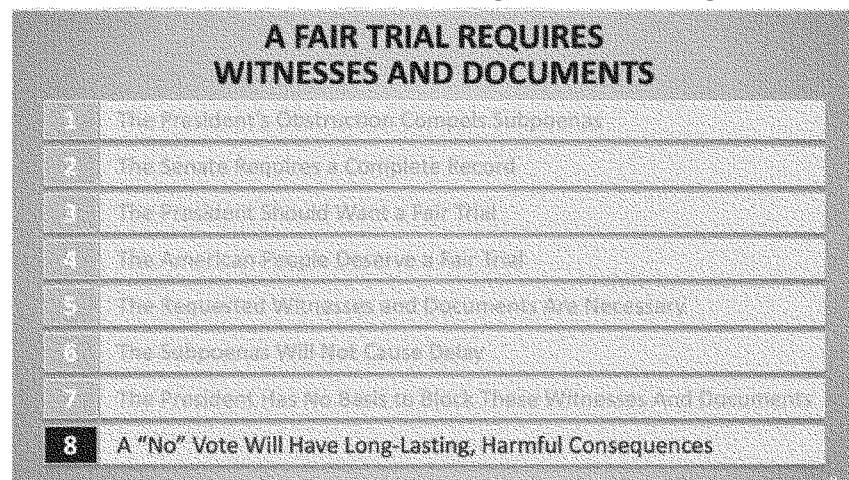
- ▶ Head Of OMB
- ▶ Responsible For Executing Hold On Military Aid
- ▶ Documents Suggest Mulvaney And OMB Created "After-The-Fact" Justifications For Hold

**SLIDE 605.** S. Doc. 116–18 Vol. II, Pg. 1480; 166 Cong. Rec. S759**SLIDE 606.** S. Doc. 116–18 Vol. II, Pg. 1481; 166 Cong. Rec. S760

**SLIDE 607.** S. Doc. 116–18 Vol. II, Pg. 1482; 166 Cong. Rec. S760



**SLIDE 608.** S. Doc. 116–18 Vol. II, Pg. 1483; 166 Cong. Rec. S760



SLIDES 609–616

[166 CONG. REC. S773–783 (DAILY ED. FEB. 3, 2020)]

**SLIDE 609.** S. Doc. 116–18 Vol. II, Pg. 1519; 166 Cong. Rec. S773

**DANIEL WEBSTER'S  
SEVENTH OF MARCH SPEECH – 1850**

**It is fortunate that there is a Senate of the United States; a body not yet moved from its propriety, not lost to a just sense of its own dignity, and its own high responsibilities, and a body to which the country looks with confidence, for wise, moderate, patriotic, and healing counsels. It is not to be denied that we live in the midst of strong agitations and are surrounded by very considerable dangers to our institutions of government. The imprisoned winds are let loose... but I have a duty to perform, and I mean to perform it with fidelity—not without a sense of surrounding dangers, but not without hope.**

**SLIDE 610.** S. Doc. 116–18 Vol. II, Pg. 1519; 166 Cong. Rec. S773

**ALEXANDER HAMILTON'S FEDERALIST NO. 65**

**The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated political, as they relate chiefly to injuries done immediately to the society itself.**

SLIDE 611. S. Doc. 116–18 Vol. II, Pg. 1519; 166 Cong. Rec. S773

#### ALEXANDER HAMILTON'S FEDERALIST NO. 65

The prosecution of them, for this reason, will seldom fail to agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused... in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt.

SLIDE 612. S. Doc. 116–18 Vol. II, Pg. 1521; 166 Cong. Rec. S774

#### PRESIDENT TRUMP'S IMPEACHABLE MISCONDUCT

- 1 The Scheme
- 2 The Solicitation
- 3 The Pressure
- 4 The Exposure
- 5 The Coverup

**SLIDE 613.** S. Doc. 116–18 Vol. II, Pg. 1527; 166 Cong. Rec. S776

**NIXON IMPEACHMENT REPORT – 1974**

**B. THE INAPPROPRIATENESS OF SEEKING JUDICIAL ENFORCEMENT OF THE COMMITTEE SUBPOENAS**

The Committee concluded that it would be inappropriate to seek the aid of the courts to enforce its subpoenas against the President. This conclusion is based on the constitutional provision vesting the power of impeachment solely in the House of Representatives and the express denial by the Framers of the Constitution of any role for the courts in the impeachment process.

**SLIDE 614.** S. Doc. 116–18 Vol. II, Pg. 1530; 166 Cong. Rec. S778

**PRESIDENT ABRAHAM LINCOLN,  
COOPER UNION ADDRESS, FEBRUARY 27, 1860**

**Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it.**

**SLIDE 615.** S. Doc. 116–18 Vol. II, Pg. 1543; 166 Cong. Rec. S782



**SLIDE 616.** S. Doc. 116–18 Vol. II, Pg. 1543; 166 Cong. Rec. S783

